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CRL OP No. 8818 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8818 of 2026

Raffuddin S/o Jamaluddin,
No.12/9, Thondaikan Magan Street,
Thondaikkanmakkan Street 1-3,
Mylapore,
Chennai - 600005

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
D1 - Tiruttani Police Station,
Tiruvallur.
(Crime No.117 of 2026)

..Respondent(s)

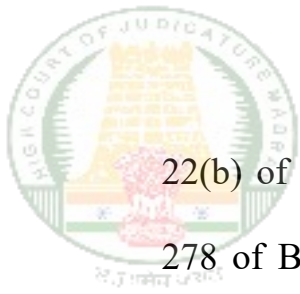
PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail pending investigation in Crime No.117 of 2026 on the file of the Inspector of Police, Tiruttani Police Station, Thiruvallur.

For Petitioner(s): Mr. P.Thinesh

For Respondent(s): Mr. S. Vinoth Kumar,
Government Advocate (Criminal side).

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.02.2026 for the alleged offences under Sections 8(c) read with 21(a) and



22(b) of NDPS Act, Section 77 of Juvenile Justice Act and Sections 123 and 278 of B.N.S. in Crime No.117 of 2026 on the file of the respondent police, seeks bail.

2. The *case of the prosecution* is that the accused were found in illegal possession of 210 nos. of Nitrazepam tablets, 2703 nos. of Tydol tablets and 100 grams of brown sugar. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he is under incarceration since 27.02.2026. He would further submit that there is no recovery from this petitioner and the recovery of f 210 nos. of Nitrazepam tablets, 2703 nos. of Tydol tablets and 100 grams of brown sugar was effected only from A1 and hence prays for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case. However, he fairly submitted that the Nitrazepam and Tydol tablets do not fall under the category of 'narcotic' substance and they are addictive substance, whereas 'brown sugar' would come under the category of 'narcotic' substance and there is no recovery from this petitioner and the contraband recovered from A1 is of intermediate quantity.



5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. Taking into consideration of the fact that there is no recovery from this petitioner and the Nitrazepam and Tydol tablets are only addictive substance and not Narcotic substance, upon the further fact that the recovered narcotic substance is only of intermediate quantity and taking into consideration of the long incarceration of the petitioner from 27.02.2026, this Court is inclined to enlarge the petitioner on bail, subject to the following stringent conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty-five Thousand only) with two sureties each, for a like sum to the satisfaction of the **learned Judicial Magistrate, Tiruttani** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall sign before the respondent police daily at 10.30 a.m. and 5.30 p.m. for a period of 30 days and thereafter as and when required by the investigation officer for interrogation;

[c] the petitioner shall not abscond either during investigation or trial;



[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]:

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

08-04-2026

MJS

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate, Tiruttani.
2. The Inspector of Police, D1 - Tiruttani Police Station, Tiruvallur.
3. The Superintendent of Police, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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