



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-06-2026

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THE HON'BLE MR. JUSTICE C.KUMARAPPAN

CRL OP No. 14454 of 2026

Mohamed Jaffar

..Petitioner(s)

Vs

The State Rep By,
The Inspector of Police
D3 Ice House Police Station,
Chennai.

..Respondent(s)

Criminal Original Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police in Crime No.138 of 2026 on the file of the Inspector of Police, D3 Ice House Police Station, Chennai.

For Petitioner(s): Mr.Thinesh P

For Respondent(s): Mr.N.Palanivel
Government Advocate
(Criminal Side)

ORDER

The petitioner, apprehending arrest for the alleged offences under Sections 22(a) and 24(1) of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce,



Production, Supply and Distribution) Act, 2003, Section 8(c) of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985, Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, and Section 123 of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.138 of 2026 on the file of the respondent police, seeks anticipatory bail.

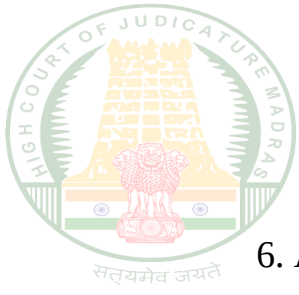
2. The case of the prosecution is that the co-accused were found in possession of 5 numbers of Nitravet tablets, 20 numbers of Tydol tablets, and 20 numbers of Rajnigandha flavored pan masala, and they were subsequently remanded to judicial custody on 20.05.2026. Based on the voluntary confession statement given by the co-accused, this petitioner was subsequently arrayed as an accused. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent, falsely implicated, and has no nexus with the alleged contraband. It is further submitted that the petitioner has been arrayed as an accused solely based on the confession statement of a co-accused, which is inadmissible in evidence. Since no recovery was effected from the person or possession of the petitioner and the quantity involved is small, the counsel prayed for the grant of anticipatory bail.



4. The said contention was strongly opposed by the learned Government Counsel (Criminal Side) appearing for the respondent. He submitted that the co-accused were caught with psychotropic substances (Nitrazepam and Tydol) alongside restricted tobacco products, and their confession directly points to the active involvement of the petitioner in the illegal supply chain. He further submitted that the investigation is at a crucial stage to trace the source of these restricted tablets, custodial interrogation is required to unearth the network, and if the petitioner is granted pre-arrest bail at this stage, it would hamper the investigation.

5. Taking into consideration the totality of the circumstances, the nature of the allegations, and the gravity of the offenses involving the distribution of psychotropic substances and tobacco products, this Court is mindful of the social impact of such illegal trades. Though the petitioner was arrayed based on a co-accused's confession and the recovery from co-accused falls under a lesser quantity, the complex combination of offenses under the NDPS Act, Juvenile Justice Act, and BNS requires a deep and unhindered probe. Granting pre-arrest bail at this juncture would severely prejudice the ongoing investigation and hamper the tracking of the procurement network. In view of the severity of the offense, this Court is not inclined to grant anticipatory bail at this stage.



6. Accordingly, the Criminal Original Petition is dismissed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1.The II Metropolitan Magistrate, Egmore, Chennai.

2.The Inspector of Police, D3 Ice House Police Station, Chennai.

3.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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