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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30796 of 2026

CNR: {HCMA012560612026}

Sathya

..Petitioner(s)

Vs

State Rep.by, Inspector of Police
T17, Perumbakkam Police Station,
Chennai District.
Cr.No.413 of 2026.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner accused on bail in Cr.No.413 of 2026 on the file of the Respondent Police.

For Petitioner(s): Mr. T.I.Ramanathan

For Respondent(s): Mrs.R.S.Indira,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.09.2026 for the alleged offences punishable under Sections 8(c), 20(b)(ii)(A) of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985, and Section 123 of the Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.413 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on the day of the incident, the

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petitioner, arrayed as accused, was found to be in possession of contraband, namely 50 grams of ganja and tapentadol tablets 100 mg, one strip contains 9 tablets. Hence, the registration of the present case against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent of the alleged offences and has been falsely implicated in this case. He further submitted that the quantities involved in the present case fall under the category of intermediate quantity, and therefore, the stringent bar under Section 37 of the NDPS Act does not apply. He also added that the petitioner has been languishing in judicial custody for a considerable period and is ready to abide by any conditions imposed by this Court.

4. The learned Additional Public Prosecutor appearing for the respondent state strongly opposed the grant of bail to the petitioner, highlighting the gravity of the offences involving joint possession of narcotic substances with other accused persons. She further submitted that there are 10 previous cases against the petitioner, 2 of which are NDPS cases.

5. Hearing the learned counsel on either side and perusing the materials available on record, it is clear that the seized contraband falls under the intermediate category. Taking into account the period of incarceration already undergone by the petitioner, and since the statutory bar under Section 37 of the NDPS Act is not attracted, this Court is inclined to grant bail to the petitioner.

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6. 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 Court-II, Alandur,** and on further conditions that:

[a] the sureties shall affix his 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 report before the respondent police daily at 10:30 A.M. until further orders;

[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, and shall not maintain any contact with the witnesses to the occurrence, the officials dealing with the case, or any other person who might be connected to the occurrence;

[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];**

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

23.10.2026

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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 Court - II,
Alandur.

2. The Superintendent, Central Prison-II,
Puzhal.

3. The Inspector of Police,
T17, Perumbakkam Police Station,
Chennai District.

4. The Public Prosecutor,
High Court of Madras.

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