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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.30965 of 2026

CNR: {HCMA012566732026}

Vijay Jadhav

..Petitioner

Vs

State Rep. by, The Inspector of Police,
P1, Pulianthope Police Station,
Pulianthope,
Chennai District.
Cr.No.237 of 2026.

..Respondent

PRAYER: To enlarge the petitioner on bail pending investigation in Cr.No.237 of 2026 on the file of the Respondent Police.

For Petitioner : Ms.T.Divya

For Respondent : Mr.M.M.I.Khaleel,
Government Advocate (Crl.side).

ORDER

The petitioner/A3, who was arrested and remanded to judicial custody on 08.09.2026 for the alleged offences punishable under sections 8(c) and 21(a) of NDPS r/w 123 and 278 of BNS Act, seeks bail.

2. The case of the prosecution is that the accused persons were found in possession of psychotropic substances, namely 30 numbers of Nitravet tablets and 9,500 numbers of Tapentadol tablets. Hence the case.

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3. The learned counsel appearing for the petitioner submits that the petitioner is innocent and is a licensed medical shop owner who has been falsely implicated in this case. He submits that the co-accused persons, A1 and A2, have already been enlarged on regular bail by the learned Principal Sessions Judge, Chennai on **25.09.2026 and 28.09.2026 in Crl.M.P.Nos. 9816 and 9873 of 2026**. He further draws the attention of this Court to the fact that the tablets in question were allegedly purchased by the other accused persons from some other shop, and the petitioner has no nexus with the seized contraband. He fairly concedes that there is one previous case under the NDPS Act recorded against the petitioner. However, since the co-accused persons have already been granted bail, he prays for the grant of bail on the ground of parity.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposes the grant of bail, pointing out the commercial volume of the psychotropic substances involved and the presence of one criminal antecedent under the NDPS Act against the petitioner. He, however, does not dispute the fact that the co-accused A1 and A2 have already been enlarged on bail by the learned Principal Sessions Judge, Chennai, and that the petitioner is a medical shop owner.

5. Heard both sides and perused the materials available on record.

6. Taking note of the facts and circumstances of the case, it is seen that the petitioner is a medical shop owner and the specific defense raised is that the

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contraband was purchased by the co-accused from a completely different establishment. Considering the fact that the co-accused A1 and A2 have already been granted regular bail by the learned Principal Sessions Judge, Chennai, on 25.09.2026 and 28.09.2026, this Court is inclined to grant bail to the petitioner on the principle of parity, notwithstanding the single criminal antecedent.

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 **Xth Metropolitan Magistrate Court, Egmore, Chennai,** 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 his identity;
>
> [b] the petitioner shall appear 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;

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[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.

29.10.2026

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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.

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To

1. The Xth Metropolitan Magistrate Court,
Egmore, Chennai.

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

3. The Inspector of Police,
P1, Pulianthope Police Station,
Pulianthope,
Chennai District.

4. The Public Prosecutor,
High Court of Madras.

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