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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.31911 of 2026

CNR: {HCMA012625622026}

Pankaj Kumar

Case QR

..Petitioner

Vs

State rep by the Inspector of police,
T-1, Tambaram Police Station.

..Respondent

PRAYER: To enlarge the petitioner on bail in Crime No.299 of 2026 pending on the file of the respondent.

For Petitioner : Mr.K.Anandha Raja

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on **17.08.2026** for the alleged offences punishable under **Sections 8(c) r/w 22(b) of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985 and 25(1A) of the Arms Act, 1959**, in **Crime No.299 of 2026** on the file of the respondent police, seeks regular bail.

2. The case of the prosecution is that the petitioner, along with other accused persons, was found in illicit possession of psychotropic substances. The

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respondent police intercepted the accused and recovered **400 numbers of Tapentadol (Tydol) tablets weighing 100 grams, 20 numbers of Nitrazepam tablets, a syringe, and three knives** from their possession. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the contraband seized from the petitioner is of intermediate quantity and does not attract the statutory bar under Section 37 of the NDPS Act. He further submits that the petitioner has been in continuous judicial custody since 17.08.2026 and that the investigation is substantially completed. He adds that although the petitioner has two previous cases of similar nature, they also involve intermediate quantities. He prays for the grant of bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police strongly opposes the grant of bail, highlighting the criminal antecedents of the petitioner. He submits that the petitioner is a habitual offender with two previous cases to his credit. He further contends that the recovery of lethal weapons like three knives along with the psychotropic substances indicates the gravity of the matter, and therefore, prays for the dismissal of the bail application.

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

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6. Considering the facts and circumstances of the case, the nature of the contraband seized, and taking note of the fact that the quantum of the psychotropic substances recovered falls under the **intermediate quantity category**, the statutory bar under Section 37 of the NDPS Act is not attracted. Evaluating the period of incarceration undergone by the petitioner from 17.08.2026 and the progress of the investigation, this Court is inclined to grant bail to the petitioner.

7. **In the result, this Criminal Original Petition is allowed and 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 – 1, Tambaram,** 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 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

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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];**

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

03.11.2026

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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 Judicial Magistrate – 1, Tambaram.

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

3. The Inspector of police, T-1, Tambaram Police Station.

4. The Public Prosecutor,
High Court of Madras.

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N.RAMESH

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