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Crl.O.P.No.33302of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.33302 of 2026

Rafiq Nasar

... Petitioner

Vs.

Central represented by
Intelligence Officer,
NCB, south Zone,
Chennai.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail pending Trial in CC No.580 of 2024 on the file II Additional Special Judge for NDPS cases at Chennai.

For Petitioner : Mr.P. Chembulingam

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This is the third bail petition and this Court had earlier dismissed the bail petition of the petitioner in Crl.O.P.No.28555 of 2024 on 04.04.2025 for the following reasons:

2. The petitioner along with A1 was found in possession of huge commercial quantity of 2 kg of Methamphetamine, which is a commercial quantity. The petitioner has not satisfied the win conditions under Section 37 of NDPS Act. It is a fact that



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though this Court directed the trial Court to complete the trial as early as possible, the trial has not been commenced so far. Hence this Court is of the view that the trial Court can be directed to conclude the trial as expeditiously as possible. If the trial is not concluded within a period of six(6) months from the date of receipt of a copy of this order, the petitioner shall be at liberty to renew the bail application before the trial Court.

2. The learned counsel for the petitioner submitted that there is no recovery from this petitioner and the contraband was seized only from A1. Hence, he could not be considered as accused in this case and further he submitted that inspite of the direction issued by this Court on 04.04.2025 to complete the trial within a period of six months, so far there is no progress in this trial. Hence prays to grant bail to the petitioner.

3. The learned Government Advocate reiterated the prosecution case and submitted that that the contraband seized from the petitioner along with A1 is a commercial quantity and the recovery could not be separated from the petitioner and A1. He further submitted that the matter is posted for examination of L.W.1 on 20.01.2026 and the trial process will concluded at the earliest.

4. I have gone through the earlier orders passed by this Court, wherein this Court has observed that since the petitioner has not satisfied the twin



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conditions under Section 37 of NDPs Act and the bail petitions of the petitioner are rejected by this Court. Hence, I am is not inclined to re-visit the earlier order. With regard to the trial process it is stated that the matter is posted for examination of L.W.1 on 20.01.2026. Hence, granting bail to the petitioner at this stage will affect the trial process and this petition is dismissed, this Court is not inclined to re-visit he earlier order.

5. Accordingly, this Criminal Original Petition is dismissed.

19.01.2026

smn

To

1.The Intelligence Officer,
NCB, south Zone,
Chennai. .

2.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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