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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.33752 of 2026

CNR: {HCMA012760012026}

Akash

Case QR

..Petitioner

Vs

State rep by The Inspector of Police,
Singanallur Police Station,
Coimbatore District.
Crime No.514 of 2026

..Respondent

PRAYER: To enlarge this petitioner on bail concerned in Crime No.514 of 2026 pending investigation on the file of the respondent and to pass such or other orders as this Court deems fit and proper in the circumstances of the case and thus render justice.

For Petitioner : Mr.R.Parthiban

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

ORDER

The petitioner, who is arrayed as Accused No.4, was arrested and remanded to judicial custody on 22.10.2026 for the alleged offences punishable under Sections 8(c) read with 20(b)(ii)(B), 22(b), 25 and 29(1) of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985, in Crime No.514 of 2026 on the file of the respondent police, and seeks bail.

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2. The case of the prosecution is that on 22.10.2026, the respondent police intercepted Accused Nos. 1 to 4 together and, upon search, found them in illegal possession of 2.500 kgs of Ganja, 2,830 Tapentadol tablets, and 200 Nitrazepam tablets without any valid prescription or licence, and seized the said contraband under a cover of mahazar. Based on the same, the present case was registered against the petitioner and other accused.

3. The learned counsel appearing for the petitioner would submit that the petitioner is arrayed as A4, is innocent, and has been falsely implicated in this case by the respondent police. He would further contend that the contraband allegedly seized from A1 to A4 together falls under the intermediate quantity and is below the commercial quantity, and therefore, the statutory bar under Section 37 of the NDPS Act is not attracted. He further submitted that the petitioner has been in judicial custody since 22.10.2026 and is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for the grant of bail to the petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police opposed the bail petition stating that the petitioner along with the co-accused was found in conscious possession of 2.500 kgs of Ganja, 2,830 Tapentadol tablets, and 200 Nitrazepam tablets, and that the investigation is still pending. However, he fairly conceded that the contraband involved in this case falls under the intermediate quantity.

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5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.

6. Considering the facts and circumstances of the case, the nature and quantity of the contraband seized from A1 to A4 together (2.500 kgs of Ganja, 2,830 Tapentadol tablets, and 200 Nitrazepam tablets), which falls under the intermediate quantity thereby not attracting the rigour of Section 37 of the NDPS Act, and taking note of the period of incarceration suffered by the petitioner from 22.10.2026, this Court is inclined to grant bail to the petitioner.

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 Judicial Magistrate Court-III, Coimbatore,** and on further conditions that:

> [a] the sureties shall affix their 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. for a period of 30 days and thereafter, as and when required for interrogation;
>
> [c] the petitioner shall not abscond either during investigation or trial;

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[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[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.

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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 Inspector of Police,
   Singanallur Police Station,
   Coimbatore District.

2. The Judicial Magistrate Court-III, Coimbatore.

3. The Superintendent,
   Central Prison, Coimbatore.

4. The Public Prosecutor,
   Madras High Court.

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