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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.33712 of 2026

CNR: {HCMA012760382026}

Liyakath Ali @ Thiyagu

..Petitioner

Vs

Case QR

The State Rep by The Inspector of Police,
M-5, Ennore Police Station.
Crime No.537 of 2026.

..Respondent

PRAYER : To enlarge the petitioner on bail in Crime No.537 of 2026 pending on the file of Respondent Police.

For Petitioner : Mr.S.Vinith

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.10.2026 for the offences punishable under Sections 8(c), 20(b)(ii)(B) and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No. 537 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with the other accused was found in illegal possession of 1.300 kgs of Ganja. Hence, the complaint.

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3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the contraband involved is only 1.300 kgs of Ganja, which is an intermediate quantity, and the petitioner has been suffering incarceration from 05.10.2026. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the investigation is almost completed and that the contraband involved is 1.300 kgs of Ganja, which is an intermediate quantity. He would further submit that there is one previous case pending against the petitioner. Hence, he vehemently opposed for grant of bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case, the period of incarceration suffered by the petitioner from 05.10.2026, the stage of investigation, and the fact that the contraband seized is an intermediate quantity of 1.300 kgs where the 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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7. **Accordingly, this Criminal Original Petition is allowed and** the petitioner is ordered to be released on bail on their 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, Thiruvottiyur,** 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. 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;

[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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N.RAMESH, J.

kmm

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

18.11.2026

kmm

To

1. The Judicial Magistrate, Thiruvottiyur.

2. The Inspector of Police,
M-5, Ennore Police Station.

3. The Superintendent,
Central Prison Puzhal II.

4. The Public Prosecutor, Madras High Court.

CRL.O.P.No.33712 of 2026

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