



WEB COPY

CRL OP No. 35749 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 35749 of 2025

Ravi @ Kamal Singh
S/o.parvat singh
Mandir ka pase ward 3,
Bafarangurg prathap garg
Rajasthan -321 605

..Petitioner(s)

Vs

Union Of India
The senior intelligent officer ,
NCB
Chennai board.

..Respondent(s)

Prayer:To enlarge the petitioner on bail in C.C.No.15 of 2011 pending in Spl.Judge II Addl Spl court EC and NDPS Act Chennai and thus render justice

For Petitioner(s):	M/s.R. Rajan
For Respondent(s):	Mr.N.P.Kumar, Spl.Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.11.2025, for the alleged offence punishable under Sections 8(c) r/w. Section 21,25 and 27 of the NDPS Act, 1985 in C.C.No.15 of 2011 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that based on specific information, the officers of Narcotics Control Bureau, Chennai Zonal Unit, seized 976 Gms Heroin at Private Bus Terminus, Koyambedu, Chennai on 02.11.2010. In this connection, three accused were apprehended by NCB Chennai and one accused Ravi @ Kamal Singh was absconding at that time. Ravi @ Kamal Singh Rajput was apprehended by NCB Team and remanded into judicial custody on 01.11.2025. Originally the complaint was filed against all the above arrested accused and the same was taken on file in C.C.No.9 of 2011, however the petitioner was treated as absconding accused and case against him was splitted and renumbered as C.C.No.15 of 2011 and a Non Bailable Warrant was pending against the petitioner herein for the past 14 years and thereafter, the respondent arrested him on the basis of look out notice.

3. The learned counsel appearing for the petitioner submitted that the petitioner is a permanent resident residing at Mandir Ke PASS, Bajranggarh, Ward 3, Bajrang Garh, Pratapgarh, Rajasthan-312605. He further submitted that the petitioner was aware about the pendency of the above cases. To substantiate the same, he submitted that this Court had granted interim bail to the petitioner and he executed sureties and all the surety documents including residential proofs have been produced before the concerned trial Court. Hence, there is no likelihood that he will abscond and is ready to abide by any condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Mr.N.P.Kumar, learned Special Public Prosecutor appearing for the



respondent police reiterated the prosecution case and submitted that on the basis of confession given by the co-accused, this petitioner was arrayed as an accused. He further reported that the co-accused has described that the petitioner is a resident of some other village and after thorough investigation, final report was filed against this petitioner and now the petitioner is falsely claiming that he is a resident of Mandir Ke PASS, Bajranggarh, Ward 3, Bajrang Garh, Pratapgarh, Rajasthan-312605, and he was not available in such address. He further submitted that the contraband seized is a commercial quantity. Hence, he opposed to grant bail to the petitioner.

5. I have also considered the submissions on both sides and perused the records which reveals that originally, the complaint was filed against the petitioner as absconding accused in the year 2011. Later, the case against this petitioner was split up and the proceedings in the split up case was treated as long pending case and no further proceedings were taken up. Thereafter, the respondents herein have identified the whereabouts of the petitioner and arrested him and remanded to judicial custody in this case on 01.11.2025.

6. It is the admitted case of the prosecution that there was no recovery effected from the petitioner and only based on the confession statement recorded from the arrested accused, the petitioner's name has been added and apart from that there are no other materials available and as held by the Apex Court in *Tofan Singh Vs. The State of Tamilnadu 2020 SCC online 882*, that the confession statement recorded under Section 67 of the NDPS Act could not



be utilized against the accused person unless the same is leading to any discovery of fact. Hence, this Court is of the view that the petitioner has satisfied the conditions of Section 37 of the NDPS Act and is entitled for grant of bail and accordingly, this Court is inclined to grant bail to the petitioner and on further conditions that:-

[b] the petitioner shall report before the Trial Court 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 aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];



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K.RAJASEKAR, J.

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

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MPA

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 Special Judge, II Additional Special Court for EC & NDPS Act Cases, Chennai.
2. Union Of India
The senior intelligent officer ,
NCB, Chennai board.
- 3.The Superintendent,
Central Prison, Chennai.
- 4.The Public Prosecutor,
High Court, Madras.

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