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CRL OP No. 24224 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 24224 of 2025

Boopathi
S/o.Sethilkumar,
No.E65/2, Thillainagar, Coimbatore
North, Selvapuram,
Coimbatore - 641 025.

Petitioner(s)

Vs

The State Rep by,
The Inspector of Police,
Selvapuram Police Station, Coimbatore
Ciry. Cr.No.232/2025.

Respondent(s)

CRL OP No. 24224 of 2025

PRAYER

To enlarge the petitioner in connection with the Cr.No.232/2025 on the file of respondent police.



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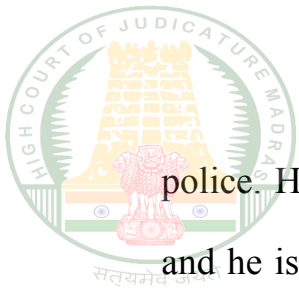
For Petitioner(s): Mr.T.Meganathan

For Respondent(s): Mr.A.Gopinath,
Govt. Advocate (Crl. Side)**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 28.07.2025 for the alleged offences under Sec. 8(c), 20(b)(ii)(B) of NDPS Act and Sec. 123 of BNS, 2023, in Crime No.232 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 27.07.2025, on a secret information with regard to sale of prohibited contraband near Sri Kannimar Temple Tank Bund, Selvapuram IUDP Colony, they intercepted the petitioner and on search, the respondent police found that A1 was found in possession of 1100 grams of ganja and A2 was found in possession of 70 grams of ganja for the purpose of sale and seized the same. Accordingly, the complaint was registered against the petitioner.

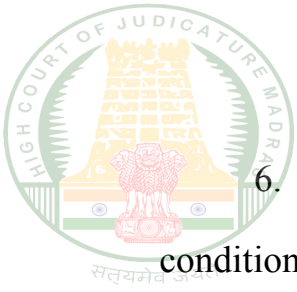
3. The learned counsel for the petitioner submitted that the petitioner is ranked as A1 and he was falsely implicated in this case as if he was found in possession of prohibited contraband. He would submit that he is an innocent person and he has not at all committed any offence as alleged by the respondent



police. He would submit that he is no way connected with the said occurrence and he is in custody for more than 44 days from 28.07.2025. He would submit that there is no role of the petitioner in the alleged offence. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the total contraband seized in the process is 1100 grams of ganja from this petitioner, which is an intermediate quantity and one case registered against him under NDPS Act and two cases registered under I.P.C. offence. He would submit that now the investigation is almost completed and he is in custody for more than 44 days. He would submit that if he is released on bail, he would hamper the investigation and tamper the witnesses. Hence, he strongly opposed to grant bail to the petitioner.

5. On seeing the facts, it reveals that the petitioner was found in possession of 1100 kgs. of ganja, which is an intermediate quantity. Hence, Sec. 37 of NDPS Act would not apply. Considering that and considering the period of incarceration undergone by the petitioner from 28.07.2025 for more than 44 days and the investigation is almost completed, and he is ready to abide any condition imposed by this court, this Court is inclined to grant bail to the petitioner subject to the following conditions :-



6. Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each, in which **one surety must be blood surety** for a like sum to the satisfaction of the **learned Addl. District Judge/Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore** and on further conditions that:

(a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

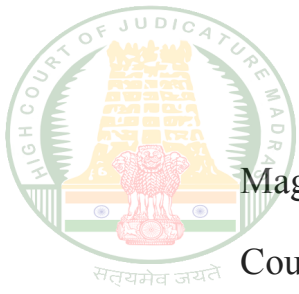
(b) the petitioner shall report before the respondent police daily evening at 05.30 p.m. for the period of three months;

(c) the petitioner shall not commit any offences of similar nature;

(d) the petitioner shall not abscond either during investigation or trial;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Judicial 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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(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. Addl. District Judge/Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore
2. The Inspector of Police, Selvapuram Police Station, Coimbatore City.
3. The Superintendent of Prison, Central Prison, Coimbatore.
4. The Public Prosecutor, High Court, Madras

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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T.V.THAMILSELVI J.

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