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CRL OP No. 25405 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 25405 of 2025

Shahadev Kunwar

Petitioner(s)

Vs

The State rep by The Inspector of Police

Selvapuram Police Station, Coimbatore District.

Respondent(s)

Crime No.257 of 2025.

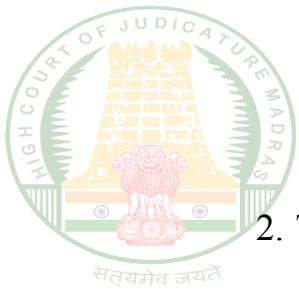
PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge this petitioner on bail concerned in Crime No.257 of 2025 pending on the file of the Respondent.

For Petitioner(s): Mr.M.N.Balakrishnan

For Respondent(s): Mr. A. Gopinath , Government
Advocate-Criminal Side

ORDER

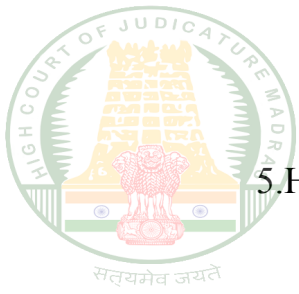
The petitioner, who was arrested and remanded to judicial custody on 18.08.2025, for the offence punishable under Sections 8(c), r/w 20(b)(ii)(A) and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985 r/w 123 of BNS, 2023, in Crime No.257 of 2025, registered on the file of the respondent, seeks bail.



2. The case of the prosecution is that, the petitioner was found in illegal possession of 100 grams of Ganja. Hence, the present complaint.

3. The learned counsel appearing for the petitioner states that the petitioner has been falsely implicated and nothing to do with the offence. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police opposed the grant of bail to the petitioner and submitted that the petitioner has been remanded to judicial custody on 18.08.2025 for the alleged possession 100 grams of Ganja. There is one similar previous case is pending against the petitioner. He further submitted that the investigation of the case is at the initial stage and if the petitioner will be released on bail, he will abscond and it will cause hindrance for the investigation of the case and hence, he opposed for grant of bail to the petitioner.



5. Heard both sides and perused the materials available on record.

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6. Considering the facts and circumstances of the case and the period of incarceration and his antecedents, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Additional District Judge/Presiding Officer, Special Court for EC Act Cases, 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 their identity;

[b] **the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;**

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass



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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];

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

16-09-2025

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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
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1. The State rep by The Inspector of Police
Selvapuram Police Station, Coimbatore
District. Crime No.257 of 2025.
2. Additional District Judge/Presiding
Officer, Special Court for EC Act
Cases, Coimbatore.
3. The Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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