



WEB COPY



Crl.OP.No.26352 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2025

CORAM

THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

Crl.O.P.No.26352 of 2025

1.Nisamudheen

2.Naseeb

... Petitioner/A1 & A2

Vs.

State rep by
The Inspector of Police,
PEW – Erode,
Erode District.
(Cr.No.141 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in Crime
No.141 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Thamarai Selvan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioners herein who were arrested on 05.08.2025 in connection
with Crime No.141 of 2025 for the alleged offence under Section 8(c) r/w
Section 20(b)(ii)(B) and 29(1) of NDPS Act, 1985, seek bail.

2.The case of the prosecution is that the petitioners were found in



illegal possession of 4.5 Kgs of Ganja. Hence the case.

WEB COPY

3.The learned counsel appearing for the petitioners state that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed to grant bail to the petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and submitted that there are no previous cases pending as against the petitioners. However, he opposed to grant bail to the petitioners.

5.Considering the fact that the petitioners are not having any previous case and considering the period of incarceration suffered by the petitioners and the seized contraband is also an intermediate quantity, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail



on 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

WEB COPY

the learned **Additional District Judge, 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 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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter, as and when required for the interrogation;

[c] 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]**;

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



WEB COPY

smv



CrI.OP.No.26352 of 2025

24.09.2025

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 Additional District Judge,
Special Court for Essential Commodities Act Cases, Coimbatore.

4/5



Crl.OP.No.26352 of 2023

WEB COPY

2. The Inspector of Police,
PEW – Erode,
Erode District.

3. The Central Prison, Coimbatore.

4. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

smv



WEB COPY



Crl.OP.No.26352 of 2025

Crl.O.P.No.26352 of 2025

24.09.2025