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Crl.O.P.No.28578 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.28578 of 2025

Dhaswanth

... Petitioner/ A2

Vs

The State rep. by,
The Inspector of Police,
Saravanampatti Police Station,
Coimbatore.
(Crime No.536 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in Crime No.536 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. D. Padmanabhan

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

ORDER



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The petitioner, who was arrested and remanded to judicial custody on 10.09.2025 for the offences punishable under Sections 8(c), 22(b), 25 and 29(1) of NDPS Act in Crime No.536 of 2025, registered on the file respondent police, seeks bail.

2. The case of the prosecution is that on 09.09.2025, based on a secret information, the respondent police went to the spot and found that the petitioner was in illegal possession of 2 grams of methamphetamine and kush ganja in the form of dried leaves, stems, flowers and buds; that upon confession of the petitioner, the other accused A1, A3 and A4 were arrested and totally 5 grams of Methamphetamine and 100 grams of Kush ganja were recovered from the petitioner and other accused persons. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated and he in judicial custody since 10.09.2025; that the co-accused/ A4 was granted bail by this Court, vide order dated 17.10.2025 in Crl.O.P.No.28490 of 2025; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and stated that there are totally five accused involved in this case and the petitioner is arrayed as A2; that the petitioner has one previous case of similar nature; and that the investigation of this case is pending.

5. I have considered the submissions made on both sides and perused the materials available on record. Though the learned counsel for the petitioner submitted that the co-accused was already granted bail by this Court, the same was granted on considering the fact that the petitioner has no previous antecedents, hence the petitioner cannot claim bail on the same parity.

6. Considering the facts of this case, the previous antecedents of the petitioner, if the petitioner is enlarged on bail, he will indulge in similar kind of offence and taking note of the fact that the investigation is not concluded, this Court is not inclined to grant bail to the petitioner.



Crl.O.P.No.28578 of 2025

K. RAJASEKAR, J.

stn

7. Accordingly, this criminal original petition stands dismissed.

23.10.2025

stn

To

1. The Inspector of Police,
Saravanampatti Police Station,
Coimbatore.
(Crime No.536 of 2025)
2. The Public Prosecutor,
High Court of Madras.

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