



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 29590 of 2025

Susant Behera

Petitioner(s)

Vs

State Represented by The Inspector of
Police

P.E.W.Dharapuram Police Station,
Tirupur District.

Crime No. 414/2025.

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 483 of BNSS 2023 to enlarge the petitioner on bail concerned in Crime No. 414/2025 pending on the file of the respondent.

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

For Respondent(s): Mr.A.Gopinath, GA (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.10.2025, for the alleged offence punishable under Sections 8(c) read with Section 22(b)(ii)(B) of NDPS Act, 1985 in Crime No.414 of 2025, on the file of



the respondent police, seeks bail.

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2. The case of the prosecution is that on 08.10.2025, the respondent police received secret information from an informant stating that the accused persons were about to sell Ganja near the Kundadam Police Station, opposite to the Mettukkadi Bus Stop. Accordingly, the respondent police went to the said location and found the petitioner in illegal possession of 1.100 kgs of Ganja. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner has no connection with the alleged offence and has been falsely implicated in this case. It is further submitted that the petitioner, who has been in judicial custody since his arrest on 08.10.2025, is willing to abide by any conditions that this Court may impose for his release. Therefore, the learned counsel prays for the grant of bail to the petitioner.



4. The learned Government Advocate (crl.Side) appearing for the respondent police strongly objected to the release of the petitioner on bail, stating that the petitioner, a native of Odisha, was remanded to judicial custody on 08.10.2025, for the joint possession of 1.100 kgs of intermediate quantity of Ganja. It was further contended that if the petitioner is released on bail, he may abscond, tamper with evidence and hinder the investigation. Therefore, the learned Government Advocate prayed for the dismissal of the bail petition.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Having considered the submissions made by the learned counsel appearing on either side, and taking into account the fact that the contraband seized is of an intermediate quantity, the period of incarceration undergone by the petitioner, and the fact that custodial interrogation of the petitioner is no longer warranted, this Court is inclined to grant bail to the petitioner, subject to certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on his 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 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 surety bond and the 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 at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[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];

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

30-10-2025

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 official website of this Court will be watermarked and will also have a QR code.**



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To

1. The Inspector of Police
P.E.W.Dharapuram Police Station,
Tirupur District.

2. The 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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