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Crl.O.P.No.2986



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04.11.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.29867 of 2025

1. Sivakumar
2. Dheenathayalan

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
Kavundapalayam Police Station,
Coimbatore District.
(Crime No.547 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail in Crime No.547 of 2025 pending investigation on the file of the Respondent police.

For Petitioners : Mr.K.Gangadaran

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

**ORDER**

WEB COPY The petitioners, who were arrested and remanded to judicial custody on 02.10.2025, for the alleged offence punishable under Sections 8(c) r/w 20(b)(ii)B, 25, 29(1) of NDPS Act in Crime No.547 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 02.10.2025 (i.e Government Holiday) when the police were on patrol duty, the accused persons were found selling Ganja on two wheelers i.e, A1 – 1 kg 200 grams, A2, A3 – 200 grams. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are an innocent person and they have been falsely implicated in this case. He would further submit that the petitioners were arrested and he is in judicial custody from 02.10.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent



police submitted that the petitioners are arrayed as A1 and A2 and there is no previous case pending against the A2 and A1 is having one previous case and he opposed for grant of bail to the petitioners.

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

6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, each for a like sum to the satisfaction of the *learned Additional 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks.

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

04.11.2025

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

K. RAJASEKAR, J.



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