



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.31626 of 2025

Subash Malik

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Mallur Police Station,
Salem District.
(Crime No.378 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the Petitioners/Accused on bail in Crime No.378 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.W.Camyles Gandhi

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.09.2025, for the offence punishable under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act in Crime No.378 of 2025, registered on the file of



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the respondent, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused were found in possession of 10 kgs of ganja. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in Judicial Custody from 19.09.2025 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. In response, learned Government Advocate (Crl. Side) opposes the petition on the ground that, petitioner along with other accused were found in illegal possession of 10 kgs of ganja. He further submitted that there is no previous case pending against the petitioner.

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

6. Taking into consideration, the fact that the petitioner is in Judicial Custody from 19.09.2025 and no previous case reported against the



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petitioner and seized contraband is only intermediate quantity, this Court is inclined to grant bail to the petitioner.

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**, for a like sum to the satisfaction of the **Additional District Judge & Presiding Officer, Special Court under E.C. & NDPS Act Cases, Salem (FAC)**, and on further conditions that:

[a] the sureties shall affix his 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 appropriate orders against the petitioner in accordance with law as if the aforementioned conditions



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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.

19.11.2025

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To

1. The Additional District Judge & Presiding Officer, Special Court under E.C. & NDPS Act Cases, Salem (FAC).
2. The Inspector of Police,
Mallur Police Station,
Salem District.
3. Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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