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Crl.OP.No.31858 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.31858of 2025

1. Thanseer

2. Abilash

... Petitioners

Vs.

The Sub Inspector of Police,
PEW-PN Palayam Police Station,
Coimbatore District.
(Cr.No.340 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners in
Cr.No.340 of 2025 on the file of the respondent police.

For Petitioners : Mr.M.Kruthika

For Respondent : Mr.A.Gopinath

Government Advocate (Crl. Side)

ORDER



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The petitioners, who were arrested and remanded to judicial custody

on 07.10.2025 for the alleged offence under Sections 8(c), 20(b)(ii)(B) of

NDPS Act, 1985 in Crime No.340 of 2025 on the file of the respondent

police, seek bail.

2. The case of the prosecution is that the petitioners along with other accused were found in possession of 5.500 kilograms of ganja. Out of which, 2 kgs of ganja each has been recovered from these petitioners. Hence, the present case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case. He further submitted that the petitioners are in custody from 07.10.2025 and there are no previous cases as against the petitioners and hence prays to grant bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and reported that these



petitioners are belongs to Kerala. If the petitioners are released on bail, there is every possibility of absconding and difficult to secure them. However, he opposed to grant bail to the petitioners.

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

6. Considering the nature of the offence committed by the petitioners and taking into account the period of incarceration, there are no previous cases against the petitioners , I am inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing bonds for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, for a like sum to the satisfaction of the learned **Judicial Magistrate, Mettupalayam** 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 10.30a.m., for a period of three weeks and thereafter as and required for interrogation

[c] the petitioners shall make themselves available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions



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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)13 SCC 283]**;

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

21.11.2025

Vv

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
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1. The ***Judicial Magistrate, Mettupalayam***
2. The The Sub Inspector of Police,
PEW-PN Palayam Police Station,
Coimbatore District.
3. The Central Prison
Coimbatore.
5. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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