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Crl.O.P.No.33001 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.33001 of 2025

1.Harsan

2.Akilan

... Petitioners

-Vs-

State Rep by,

The Inspector of Police,

Kuniyamuthur Police Station,

Coimbatore.

(Crime No.359 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023,

pleaded to enlarge the petitioners on bail in Crime No.359 of 2025 pending on

the file of the respondent police.

For Petitioner : Mr.M.N.Balakrishnan

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on



03.09.2025, for the alleged offence punishable under Sections 8(c) r/w

20(b)(ii)(B), 29(1), 25 of NDPS (Narcotic Drugs & Psychotropic Substances),

Act 1985 in Crime No.359 of 2025, on the file of the respondent police, seeks

bail.



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2. The allegation against the petitioners is that the petitioners are ranked as A3 & A4. It is alleged that the petitioners joined hands with other accused involved in the possession and sale of ganja, the total quantity being 5 kilograms of ganja. Hence, the complaint was lodged and the petitioners were arrested and are in judicial custody.

3. Learned counsel appearing for the petitioners submitted that the petitioners, are a student and have been falsely implicated in this case. He further submitted that only a small quantity of ganja was recovered from the petitioners. He further submitted that the co-accused already granted bail by this Court in Crl.O.P.No.32856 of 2025 dated 01.12.2025. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioners were arrested on 03.09.2025 and that the petitioners are part of a group involved in trafficking ganja. He further submitted that the 1st petitioner is having one previous cases, and 2nd petitioner has no previous cases. However, he opposes to



grant bail to the petitioner.

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

6. Considering the submissions made by the learned counsel on both sides, the fact that the total quantity involved in this case is 5 kgs of ganja and that only a small quantity of ganja was recovered from these petitioners, and that the co-accused already granted bail by this Court in Crl.O.P.No.32856 of 2025 dated 01.12.2025, though it is stated that the 1st petitioner has one previous cases, which are not under the NDPS Act, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, 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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;

[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 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

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02.12.2025

mpa

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 EC Act Cases, Coimbatore,

2.The Inspector of Police,
Kuniyamuthur Police Station,
Coimbatore.

3.The Superintendent,
Central Prison, Coimbatore.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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