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Crl.O.P.No.33156



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04.12.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.33156 of 2025

Riswan Suhail

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Karumbukkadai Police Station,
Coimbatore District.
(Crime No.173 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Crime No.173 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Manoj Vasanth

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



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Crl.O.P.No.33150



ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.10.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act, 1985, in Crime No.173 of 2025, registered on the file of the respondent police, seeks bail.

2. The allegation against this petitioner is that, this petitioner was found in possession of 1 kg 150 grams of ganja and he was intercepted by the police and he was arrested on 26.10.2025. Hence this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and the petitioner is in judicial custody since 26.10.2025; and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and submitted that the petitioner is



having 1 previous case similar in nature, if he released on bail there is likelihood and he will indulge in similar activities and opposed for grant of bail to the petitioner.

5. Considering the fact of the petitioner, the petitioner is in custody from 26.10.2025, the recovery effected in this case is 1 kg 150 grams of ganja and the same is not a commercial quantity, it rigors Section 37 of NDPS Act is not applicable and the petitioner is having one previous case, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his 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 (FAC)*, 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 petitioner shall report before the learned Additional District Judge / Presiding Officer, Special Court For Essential Commodities Act Cases, Coimbatore (FAC) daily at 10:30 a.m., for a period of four weeks and thereafter as and when requires for interrogation by the respondent police;

[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.

04.12.2025



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 (FAC).
- 2.The Inspector of Police,
Karumbukkadai Police Station,
Coimbatore District.
- 3.The Superintendent of Prison,
Central Prison, Coimbatore.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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