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Crl.O.P.No.33684 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.33684 of 2025

Kamesh

... Petitioner

-Vs-

State Rep by,
The Inspector of Police,
Kuniyamuthur Police Station,
Coimbatore City.
(Crime No.359 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023,
pleased to enlarge the petitioner on bail in Crime No.359 of 2025 pending on the
file of the respondent police.

For Petitioner : Mr.P.Pugalenthir

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
07.11.2025, 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.



2. The allegation against the petitioner is that the petitioner is ranked as A1. It is alleged that the petitioner joined hands with other accused was involved in the possession and sale of ganja, the total quantity being 5 kilograms of ganja. Hence, the complaint was lodged and the petitioner was arrested and is in judicial custody.

3. Learned counsel appearing for the petitioner submitted that the petitioner, aged 23 years, is a student and has been falsely implicated in this case. 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 petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner was arrested on 07.11.2025 and that the petitioner is part of a group involved in trafficking ganja. He further submitted that the petitioner is having three previous cases, under IPC offences. Hence, 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 1.500 kgs of ganja was recovered from this petitioner, which is not a commercial quantity, and the petitioner is in judicial custody from 07.11.2025, though it is stated that the petitioner has three previous cases, which are not under the NDPS Act and that the co-accused already granted bail by this Court in Crl.O.P.No.32856 of 2025 dated 01.12.2025, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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, 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 petitioner 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 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.

09.12.2025

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.



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To

1.The Additional District Judge/Presiding Officer,
Special Court for EC Act Cases, Coimbatore,

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

3.The Superintendent,
Central Prison, Coimbatore.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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