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CRL OP No. 35620 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 26-12-2025**

CORAM

**THE HONOURABLE MR.JUSTICE P. DHANABAL**

**CRL OP No. 35620 of 2025**

Sukumar

Petitioner / A2

Vs

State Rep. by,  
The Inspector of Police,  
PEW-Harur Police Station,  
Dharumapuri District.  
Cr.No.411 of 2025.

Respondent(s)

**PRAYER**

The Criminal Original Petition is filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, (BNSS) 2023, praying to enlarge the Petitioner on bail in Crime No.411 of 2025, on the file of the respondent.

For Petitioner(s): Mr.C.Deepakkumar

For Respondent(s): Mr.S.Vinoth Kumar  
Government Advocate (Crl.Side)

**ORDER**

The Petitioner, who was arrested and remanded to judicial custody on 25.09.2025 for the offences punishable under Sections 8(c), 20(b)(ii)(B) of NDPS Act, 1985, in Crime No.411 of 2025, on the file of the respondent, seeks bail.



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2. The case of the prosecution is that the petitioner along with other accused were found in possession of 4 kgs of Ganja. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner has not committed any offence as alleged by the prosecution. He would also submit that there is no previous cases against the petitioner and the petitioner is ready to abide by any stringent condition imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent would submit that petitioner along with the other accused were found in possession of 4 kgs of Ganja. He would further submit that there is no previous case pending as against the petitioner. However, he opposed to grant bail to the petitioner.

5. Heard both side learned counsel and perused the materials available on record.

6. Considering the representation made by both side learned counsel and considering that there is no previous case pending against the petitioner and also taking into consideration that the contraband recovered from the petitioner is not a commercial quantity and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner



subject to the following conditions:

[a] Accordingly, the Petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the **Judicial Magistrate Court – II, Salem**, and on further conditions that:

**[b] the Petitioner shall report before the NDPS Court, Chennai, everyday at 10.30 a.m., until further orders.**

[c] the Petitioner shall not commit any offences of similar nature.

[d] the Petitioner shall not abscond either during investigation or trial.

[e] the Petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

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

**26-12-2025**

smv



**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 official website of this Court will be watermarked and will also have a QR code.



To

1.The Judicial Magistrate Court - II, Salem.

2.The Inspector of Police,  
PEW-Harur Police Station,  
Dharumapuri District.  
Cr.No.411 of 2025.

3.The Central Prison, Salem.

4.The Public Prosecutor, High Court, Madras.



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**P.DHANABAL J.**  
**smv**

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