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Crl.O.P.No.459 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2026

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THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.459 of 2026

Salamon

... Petitioner/A2

Vs.

The State, represented by its
Inspector of Police,
H-1, Washermenpet Police Station,
Chennai – 600 021.
(Crime No.659 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in event of arrest pending investigation in Crime No.659 of 2025 on the file of the respondent police.

For Petitioner : Mr.Kasirajan S
For Respondent : Ms.J.R.Archana,
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence **under Sections 8(c), 20(b)(ii)(B), 29(1) of the NDPS Act in Crime No.659 of 2025** on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner is ranked as A2 in this case and that the petitioner allegedly joined hands with A1 in this case involved in trafficking of 1.300 grams of ganja. Hence a case has been



registered.

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3. The learned counsel for the petitioner submitted that the petitioner was earlier arrested and detained under Tamil Nadu Act 14 of 1982. After revocation of the detention order, he was released from prison only on 13.11.2025 immediately a false complaint has been registered against him on 15.11.2025 since the petitioner is having some bad antecedents registered under IPC offences. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and he is ready to cooperate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that totally there are three accused in this case and that the petitioner is ranked as A2. She further submitted that the petitioner is involved in illegal transportation of ganja and he is also having some previous cases registered under IPC offences. Hence, she opposed to grant anticipatory bail to the petitioner.

5. I have gone through the statements recorded from the arrested accused. On perusal of the statement it reveals that nowhere stated that the



petitioner being in possession of any contraband. It is stated that A1 purchased ganja from other persons and handed over it to the petitioner herein. It is very vague, except this statement no other materials have been produced before me to substantiate the alleged offence committed by the petitioner herein.

6. Considering the facts and circumstances of the case and the submissions made by the learned counsel on both sides; and the nature of allegations levelled against the petitioner; and that the petitioner herein was released from the prison only on 13.11.2025 and immediately, it is alleged that the petitioner involved in the present case and the fact that the contraband involved in this case is now seized, and it is not commercial quantity, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned XV Metropolitan Magistrate, Chennai**, on condition that **the petitioner shall execute 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 Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the



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concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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 identify proofs to ensure their identity;

(c) The petitioner shall report before the respondent Police everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

19.01.2026

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To

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1.The XV Metropolitan Magistrate, Chennai.

2.The Inspector of Police, H-1,
Washermenpet Police Station,
Chennai – 600 021.

3.The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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