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Crl.O.P.No.1811 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.1811 of 2026

Buvanesh S/o.Selvaperumal

... Petitioner/ Accused 1

Vs

The State rep. by,
The Station House Officer,
Dhanvantri Nagar (D.Nagar) Police Station,
Pondicherry.
(Crime No.3 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/A1 in Crime
No.3 of 2026 on the file of the respondent police.

For Petitioner(s) : Mr. R.Ganesan

For Respondent(s) : Mr. M.V.Ramachandra Murthy
Public Prosecutor, Govt. of Puducherry

ORDER

The petitioner, who was arrested and remanded to judicial custody on
06.01.2026 for the offences punishable under Section 77 of Juvenile Justice
(Care and Protection of Children) Act, 2015 r/w Sections 20(B)II A and 8(c)
of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.3 of
2026, registered on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that, the petitioner was found with illegal possession of 70 grams of ganja. Hence, the case has been registered as against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner herein is presently studying first year MBA Course and has been falsely implicated in this case and has not involved in any of the offences as alleged in this case and even if 70 grams of contraband is recovered from the petitioner allegedly, it is admittedly a non-commercial quantity without admitting the possession and that the petitioner is ready to co-operate for the investigation; and that the petitioner is ready to abide by any 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 while opposing the bail to the petitioner reiterated the prosecution case and that the petitioner was arrested for illegal possession of 70 grams of dried Ganja leaves; that there is no previous case as against the petitioner; and that the further investigation of this case is pending.



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5. I have considered the submissions made and perused the materials available on record. Admittedly, the quantity of contraband involved in this is non-commercial quantity and the petitioner has no previous case as against him.

6. Considering the above fact that no previous case as against the petitioner and contraband involved is only 70 grams which falls within the non-commercial quantity, nature of allegation and the period of incarceration undergone by the petitioner herein, 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 each**, for a like sum to the satisfaction of the **learned Judicial Magistrate No.I, Puducherry** 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;



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[b] **the petitioner shall report before the respondent police daily at 10:30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;**

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];**

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

28.01.2026

ssa

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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K. RAJASEKAR, J.

To

1. The Judicial Magistrate No.I,
Puducherry.
2. The Station House Officer,
Dhanvantri Nagar (D.Nagar) Police Station,
Pondicherry.
(Crime No.3 of 2026)
3. The Superintendent,
Central Jail, Kalapet, Puducherry.
4. The Public Prosecutor,

CRL OP NO.1811 of 2026

28.01.2026