



Crl.O.P.No.3295 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2026

CORAM

THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

Crl.O.P.No.3295 of 2026

Prathap

... Petitioner/A1

Vs.

The State by,
Inspector of Police,
Puliyampatti Police Station,
Erode District.
(Crime No.341 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.341 of 2025 on the file of the respondent police.

For Petitioner : Mr.Thirunavukarasar
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), 25, 29(1) of IPC** in **Crime No.341 of 2025** on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner joined hands



with other accused involved in transportation of Ganja. It is stated that on 22.11.2025, on prior information, the police party intervened two bikes in which A1 to A4 were travelled. While intercepting the vehicle, A3 and A4 who were pillion riders, ran away from there, however, A1 and A2 were arrested and from them 1.100 grams of ganja was recovered. Hence, a case has been registered.

3. This Court, earlier dismissed the anticipatory bail application of the petitioner vide order dated 05.12.2025 in Crl.O.P.No.33434 of 2025 on the following reasons:

“5.I have gone through the FIR and connected records, it revealed that the petitioner also travelled along with the arrested accused, and after seeing the police, they ran away from there. Since it is a case of sizer of 1.100 kilograms of ganja, granting anticipatory bail would hamper the investigation, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.”

4 Now, after the dismissal of the anticipatory bail application of the petitioner, it is stated by the learned counsel for the petitioner that the co-accused, who are ranked as A1 and A2, from whom recovery of contraband was effected have been released on bail as per order in Crl.O.P.No.604 of 2026 vide order dated 09.01.2026. It is further stated by the learned counsel that the petitioner is not having previous bad antecedents and also considering the fact



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that already the contraband involved in this case have been seized, this Court is inclined to grant anticipatory bail to the petitioner.

5. 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 Special Judge, Special Court for trial Essential Commodities Act, Coimbatore**, 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 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;

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(c) The petitioner shall report before the respondent Police everyday at 10.30 a.m., for a period of four weeks



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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.

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To

- 1.The Special Judge, Special Court for Trial Essential Commodities Act, Coimbatore.
- 2.The Inspector of Police, Puliampatti Police Station, Erode District.
- 3.The Public Prosecutor, High Court of Madras.

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