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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

CrI.O.P.No.3264 of 2026

Ajay Sahani

... Petitioner

Vs.

The Inspector of Police,
PEW – Dharapuram Police Station
Tiruppur.
(Crime No.523 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the Petitioner/Accused on bail in Crime
No.523 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.T.Balaji

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
19.12.2025, for the offence punishable under Sections 8(c), 20(b)(ii)(B) of
Narcotic Drugs and Psychotropic Substance Act, 1985, in Crime No.523 of
2025, registered on the file of the respondent, seeks bail.



2. The allegation against the petitioner is that he was involved in the transportation of 2 kgs of ganja and was arrested with the contraband. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has been falsely implicated in this case. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner has one previous case of a similar nature. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the nature of the offence alleged to have been committed by the petitioner, the period of incarceration, and the fact that Section 37 of the NDPS Act is not applicable to the quantity of contraband seized, this Court is inclined to grant bail to the petitioner, subject to certain conditions:



7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Dharapuram** 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;

[b] the petitioner shall report before the respondent police daily 10.00 a.m. for a period of three weeks, and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;



[f] 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]**;

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

11.02.2026

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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.



To

1. The Judicial Magistrate, Dharapuram.
2. The Inspector of Police,
PEW – Dharapuram Police Station
Tiruppur.
3. The Superintendent,
Prison, Tiruppur.
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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