



WEB COPY

CRL OP No. 3657 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 3657 of 2026

K.S.Dhilip @ Thilip Kumar

..Petitioner

Vs

The State of Tamilnadu Rep. By,
The Inspector of Police,
Vriddhachalam Taluk Police Station,
Cuddalore District.
(Crime No.47 of 2026)

..Respondent

Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, pleaded to enlarge bail to the petitioner in the event of arrest in Crime No.47 of 2026 pending on the file of the respondent for the alleged under Sections 275, 123 of BNS, R/W.8(c), 20 (b) (ii) (A) of NDPS Act 1985.

For Petitioner : Mr. T. Muthuraj

For Respondent : M/s. J.R. Archana,
Government Advocate (Crl.side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 275 and 123 of Bharatiya Nyaya Sanhita (BNS) 2023, and Sections 8(c), 20(b) (ii)(A) of Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985, in



Crime No.47 of 2026, on the file of the respondent police, seeks anticipatory bail.

WEB COPY

2. The allegation against the petitioner is that on 20.01.2026 at about 03.30 P.M., the respondent proceeded to the spot, where the accused/A1, along with the petitioner/A2 was found in possession of 20 grams of ganja. On seeing the police, the accused allegedly attempted to flee from the place of occurrence. Upon interrogation, it was revealed that the petitioner/A2 had assisted the co-accused/A1 in collecting ganja from Virudhachalam Railway Station and selling the same to unknown persons for profit. Hence, the present complaint has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. It was further submitted that the co-accused/A1 is the main accused and that the petitioner has been arrayed as an accused solely on the basis of the confession statement of the co-accused/A1. It was also submitted that the co-accused/A1 was arrested and later released on bail. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there are totally two accused in this case.



The accused/A1, who was found in possession of 20 grams of ganja, and the said contraband was recovered. The co-accused/A1 was caught red-handed, while the petitioner/A2 ran away from the scene of occurrence. Based on the confession of A1, the petitioner was implicated as A2. It was further submitted the petitioner has one previous case under the SC/ST Act and that the investigation is still in progress. Hence, she opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case, and the submissions made on either side, and also taking note of the fact that the co-accused/A1 has already been arrested and released on bail, that the contraband has been seized, and that the quantity involved in this case, falls within the definition of “small quantity”, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. 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 made ready, before the **learned Judicial Magistrate – I, Virudhachalam**, on condition that **the petitioner shall execute 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 Magistrate concerned, and on further conditions:



(a) If the petitioner fail to surrender before the concerned 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 suretyship (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 was 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.

16-02-2026

klr

To

1. The learned Judicial Magistrate – I, Virudhachalam.
2. The Inspector of Police, Vriddhachalam Taluk Police Station, Cuddalore.
3. The Public Prosecutor, High Court of Madras, Chennai.



WEB COPY

CRL OP No. 3657 of 2



K.RAJASEKAR, J.

klt

CRL OP No. 3657 of 2026

16-02-2026