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Crl.O.P.No.3802 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.3802 of 2026

1. Dhanush
2. Lokeshwaran

... Petitioners/ Accused

Vs

The State of Tamil Nadu rep. by,
The Inspector of Police,
T-14, Mangadu Police Station,
Chennai.
(Crime No.919 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners/accused in
Crime No.919 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. S. Senthil Kumar

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



ORDER

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The petitioners, who were arrested and remanded to judicial custody on 29.12.2025 for the offences punishable under Sections 8(c), 20(b)(ii)(B), 25, 29(1) of NDPS Act, 1985 in Crime No.919 of 2025, registered on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 29.12.2025 based on a specific information, the respondent police went to the place of occurrence and intercepted the petitioners herein; that after complying all the mandatory provisions under the NDPS Act, search and seizure was effected, thereby, the petitioners were found in possession of 1.250 kilograms of Ganja for the purpose of illegal sale. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that since the petitioners have previous cases, a false case has been foisted against the petitioners by the respondent and they are in judicial custody since 29.12.2025; that the alleged contraband said to have seized in this case falls is not a commercial quantity; and that the petitioners are ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioners reiterated the prosecution case and stated that the petitioners were intercepted with 1.250 kilograms of ganja, which is an intermediate quantity; that the first petitioner has 7 previous cases and the second petitioner has four previous cases; and that the investigation of this case is pending.

5. Though it is reported that the petitioners have previous cases, they are on bail in all those cases, considering the facts and circumstances of this case, the quantity of contraband involved in this case and the period of incarceration undergone by the petitioners herein, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their 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, Shriperumbuthur** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial



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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 petitioners shall report before the respondent police daily at 10:30 a.m., for a period of four 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 petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

17.02.2026

stn

Note :



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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,
Shriperumbuthur.
2. The Inspector of Police,
T-14, Mangadu Police Station,
Chennai.
(Crime No.919 of 2025)
3. The Superintendent,
Central Prison-II, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

stn



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