



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No. 4437 of 2026

Ragulprasath

...Petitioner

Versus

The State represented by
The Inspector of Police
Deevattipatti Police Station
Salem
Crime No. 39 of 2026.

... Respondent

Prayer: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in Crime No. 39 of 2026 on the file of respondent police.

For Petitioner : Mr.L.Ramanathan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.01.2026 for the offences punishable under Sections 8(c), 20(b)(ii)(B), 29(1) of the NDPS Act, 1985, in Crime No.39 of 2026 have been registered on the file of respondent police, seeks bail.



2. The allegation against the petitioner is that the petitioner is ranked as A1. On 22.01.2026 at about 14.00 hours, based on a secret information, the respondent police went to the Nachinampatti Burial Ground and intercepted the petitioner and others, who were found in possession of 1.100 kgs of Ganja illegally, which was being sold to the general public. The petitioner and others were arrested and remanded to judicial custody on 23.01.2026.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and the petitioner has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is not having any previous case. Further, the quantity of Ganja seized is a small quantity which do not fall within the schedule of contraband listed under the NDPS Act, and the petitioner has been incarceration since 23.01.2026. Hence, he prayed to grant bail to the petitioner.



4. Mr. A. Gopinath, learned Government Advocate, (Criminal Side) appearing for the respondent, while opposing the bail to the petitioner, reiterated the prosecution case and submitted that the petitioner is ranked as A1, the petitioner is not having previous case. However, the contraband seized which is a commercial quantity, Section 37 of the NDPS Act, 1985, is applicable to the facts of the present case. and hence, he opposed to grant bail to the petitioner herein.

5. I have heard the submissions made on both sides and perused the records.

6. Considering the nature of allegations; and though it is stated that the petitioner is not having previous case, and the quantity involved in this case is a small quantity, 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 their executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **Special Judge of EC/NDPS Act Cases, Salem**, and on further conditions that:



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[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] that the petitioner 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 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.

23.02.2026

MSM
Index: Yes/No
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Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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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 Special Judge of EC/NDPS Act
Cases, Salem.

2.The Public Prosecutor
High Court of Madras.

3.The Inspector of Police
Deevattipatti Police Station
Salem
Crime No. 39 of 2026.

4.The Superintendent of Central
Prison, Salem.



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K.RAJASEKAR J.

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