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CRL OP No. 6168 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6168 of 2026

Santhosh
S/o.Govindharaj,
No.3/211, Kill Street,
Thumbalam,
Musiri Taluk,
Trichy District
621 211.

..Petitioner(s)

Vs

State By,
The Sub-Inspector of Police,
Tiruvannamalai PEW Police Station,
Tiruvannamalai District.
Crime No.35 of 2026

..Respondent(s)

To enlarge the petitioner on Bail in Crime No.35 of 2026, on the file of the Sub-Inspector of Police, Tiruvannamalai PEW Police Station, Tiruvannamalai District and thus render justice.

For Petitioner(s): Mr.S.Silambuselvan

For Respondent(s): Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.02.2026 for the alleged offences under Section 123 of BNS, 2023 r/w 8(c)



and 20(b)(ii)(A) of NDPS Act, in Crime No.35 of 2026 on the file of the respondent police, seeks bail.

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2. This case has been registered against the petitioner and others for illegal possession of 150 grams of ganja.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that only based on the confession statement of the co-accused, this petitioner has been implicated in this case and the contraband was recovered and hence prays to enlarge the petitioner on bail.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and would further submit that there is a previous case against him and hence strongly objected to enlarge the petitioner on bail. However, he fairly submitted that

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. From the submissions made by the learned Government Advocate, the petitioner has been under incarceration since 23.02.2026 and the quantity,



according to the prosecution, is only 150 grams. Though there is one previous against this petitioner, considering the small quantity of the contraband and taking into consideration the incarceration since 23.02.2026, this Court is inclined to grant bail to the petitioner, subject to the following stringent 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 **District Munsif cum Judicial Magistrate, Tandrapattu**, 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 twice at 10.30 a.m. and 5.30 p.m, until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] 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]:

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

10-03-2026

ATA

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.



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CRL OP No. 6168 of 2



To

1. The District Munsif cum Judicial Magistrate, Thandrapattu.
2. The The Sub-Inspector of Police, Tiruvannamalai PEW Police Station, Tiruvannamalai District.
3. The Superintendent of Police, Sub-Jail, Tiruvannamalai.
4. The Public Prosecutor, High Court of Madras.



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CRL OP No. 6168 of 2



C.KUMARAPPAN, J.

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CRL OP No. 6168 of 2026

10-03-2026