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CRL OP No. 6286 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6286 of 2026

Kshitish Mohanty

..Petitioner

Vs

The State Rep. by
The Inspector of Police,
NIB CID, Vellore,
Vellore District.
(Cr.No.05 of 2026)

..Respondent

Prayer: Criminal Original Petition filed under section 483 of BNSS to grant bail to the petitioner in Crime No.05 of 2026 on the file of the respondent police.

For Petitioner:

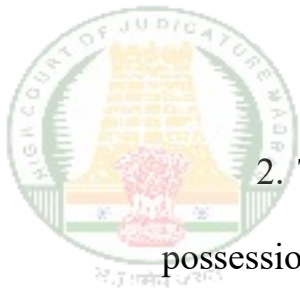
Mr.S.Prabhu

For Respondent:

Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.02.2026 for the alleged offences under Sections 8(c) r/w Sections 20(b)(ii) (B) of NDPS Act, in Crime No.05 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner was found in illegal possession of 4 kg of ganja and the same was seized by the respondent police.

Hence, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been in custody since 04.02.2026 and is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that 4 kg of Ganja, which falls under intermediate quantity, was recovered from the petitioner and that there is no previous case against him. He further submitted that the investigation has been completed. Hence, he opposed to grant bail to the petitioner.

5. I have given anxious consideration to the submissions made by the learned counsel appearing on either side and also perused the materials available on record.

6. Considering the fact that the contraband involved is an intermediate quantity, that the investigation has been completed, and also taking into account the period of incarceration of the petitioner since 04.02.2026 and that the petitioner has no previous case, this Court is inclined to enlarge the petitioner on



bail, subject to the following 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 No.II, Salem**, 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 at 10.30 a.m and 5.30 p.m. for a period of 30 days and thereafter as and when required for interrogation;

[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.

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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 No.II,
Salem.
2. The Inspector of Police,
NIB CID, Vellore,
Vellore District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN J.

DRL

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