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CRL OP No. 6216 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. 6216 of 2026

Sakthivel

..Petitioner

Vs

The State Rep. by
The Inspector of Police,
Arakkonam PEW,
Ranipet District.
(Cr.No.10 of 2026)

..Respondent

Prayer: Criminal Original Petition filed under section 483 of BNSS to grant bail to the petitioner in Crime No.10 of 2026 on the file of the respondent police.

For Petitioner:

Mr.K.Ilayaraja

For Respondent:

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.02.2026 for the alleged offences under Sections 8(c), r/w 20(b)(ii)(B), 27(A) and 29(1) of NDPS Act, in Crime No.10 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner, along with the other accused, was found in possession of 1.670 kgs of ganja and the same had been 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 the petitioner is a college going student and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been in custody since 05.02.2026 and is ready to abide by any stringent conditions that may be imposed by this Court. He further submitted that the co-accused was released on bail by the learned Judge, Salem in Crl.MP.No.105 of 2026 dated 10.03.2026. 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 there are totally 13 accused in this case and the petitioner herein is ranked as A10. He further submitted that the petitioner is only a consumer of narcotic substance and that no recovery has been made from the petitioner. He further submitted that the quantity involved falls under the category of intermediate quantity and that the petitioner has no previous case against him. 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.

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6. From the submissions made by the learned Government Advocate (Crl.Side), it is seen that the petitioner is only a consumer of narcotic substance and that no recovery has been made from the petitioner. Considering the above facts, this Court is of the view that since the petitioner has been in incarceration since 05.02.2026 and further the quantity involved falls within the category of intermediate quantity, taking into consideration the fact that the petitioner has no previous case and that the co-accused was released on bail in Crl.MP.No.105/2026 on 10.03.2026 by the learned Judge, Salem, 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, Arakkonam**, 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 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.

11-03-2026

DRL

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
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1. The Judicial Magistrate II,
Arakkonam.
2. The Inspector of Police,
Arakkonam PEW,
Ranipet District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor
High Court of Madras.



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C.KUMARAPPAN J.

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