



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8787 of 2026

1. Dinesh Sahni S/o. Rameshwar Sahni,
No.241, Muthu Nagar,
Aathupalayam,
Tiruppur - 641 652.
2. Indrajeed Kumar Sahni
S/o. Rampravesh Sahni,
Desari Village,
Desari Post, Vaishalli,
Bihar - 844 504.
3. Ravi Mahto S/o. Chandradeep Mahto,
Desari,Desari,
Vaishali,
Bihar - 844 504

..Petitioner(s)

Vs

State represented by:

The Inspector of Police,
Anupparpalayam Police Station,
Tiruppur District.
[Cr.No.71 of 2026]

..Respondent(s)

PRAYER: This Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioners on bail in Cr.No.71 of 2026 pending investigation on the file of the Respondent Police.

For Petitioner(s):

Mr. T.Balaji

For Respondent(s):

Mr. S. Vinoth Kumar,

Government Advocate (Criminal side).



ORDER

The petitioners, who were arrested and remanded to judicial custody on 15.02.2026 for the alleged offences under Sections 8(c) read with 22(a), 25 and 29(1) of NDPS Act in Crime No.71 of 2026 on the file of the respondent police, seeks bail.

2. The *case of the prosecution* is that the petitioners were found in illegal possession of 2 grams of Heroin powder. Hence the case.

3. The learned counsel appearing for the petitioners would submit that there are totally 3 accused, all of them are the petitioners herein and they are under incarceration since 15.02.2026. It is the further submission of the petitioners that according to the prosecution, these petitioners were found in possession of 2 grams of heroin power, which is a small quantity and hence prays for grant of bail to the petitioners.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case. However, he has fairly submitted that the contraband recovered in this case is only a small quantity and the petitioners have no previous case.



5. I have given anxious consideration to the submissions made by the learned counsel on either side.

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6. Taking into consideration of totality of circumstances, upon the ground that what was recovered is only a small quantity and the fact that the petitioners have no previous case, this Court is inclined to enlarge the petitioners on bail, subject to the following stringent conditions:

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond each 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.III, Tiruppur** 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 petitioners shall sign 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 by the investigation officer for interrogation;



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

[d] the petitioners 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 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]:

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

08-04-2026

MJS

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.III, Tiruppur.
2. The Inspector of Police, Anupparpalayam Police Station, Tiruppur District.
3. The Superintendent of Police, Central Prison, Coimbatore.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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