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CRL OP No. 9669 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9669 of 2026

Nogeshwaran

..Petitioner

Vs

State rep by,
The Inspector of Police,
Komarapalayam, Namakkal District.
(Crime No.87/2026).

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.87 of 2026, on the file of the respondent.

For Petitioner: Mr.M.Navin Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.03.2026 for the alleged offences under Sections 8(c) r/w Section 20(b)(ii)(B) of Narcotics Drugs & Psychotropic Substances Act, 1985 in Crime No.87 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with A2 was found in possession of 1.110 kgs of ganja. Hence, the case was registered.



3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he was only driving the vehicle and was not aware of the alleged possession of ganja by A2. The learned counsel would further submit that the petitioner has no previous criminal antecedents and he belongs to a respectable family. It is further submitted that the petitioner has been in judicial custody since 16.03.2026 and he is ready to abide by any conditions 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 submitted that there are two accused in this case and this petitioner is arrayed as A1 and he has been remanded to judicial custody on 16.03.2026. It is further submitted that the total recovery in this case is 1.110 kgs of ganja. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the submission of the learned counsel on either side, it is seen that there are two accused in this case and the petitioner is arrayed as A1 and has been in incarceration since 16.03.2026. Considering that the total recovery is of intermediate quantity and taking into account the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to



the petitioner, subject to certain conditions.

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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 for a like sum each to the satisfaction of the **learned Special Court for Trial of EC Act cases, Salem District**, and subject to the following conditions:

[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 twice a day at 10.30 a.m. and 05.30 p.m., until further orders and no petition seeking relaxation of the above conditions shall be entertained within a period of ninety (90) days from the date of release of the petitioner.

[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 take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioners released on bail by the learned Magistrate/Trial Court itself, as laid down



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by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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NSL

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 Court for Trial of EC Act Cases, Salem District.
2. Central Jail, Salem District.
3. The Inspector of Police, Komarapalayam, Namakkal District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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