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Crl.O.P.No.11813 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.05.2026

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

CRL OP No. 11813 of 2026

1. Sivakumar
S/o.Vedhagiri,
No.13, Sankar Street, Bharathipuram,
Chrompet,
Pallavaram Taluk,
Chengalpattu District - 44
2. Kamalakannan
S/o.Murugesan,
No.25, Sankar Street, Bharathipuram,
Chrompet,
Pallavaram Taluk,
Chengalpattu District - 44

..Petitioner(s)

Vs

State Rep. By The Inspector of Police
T-13 Chitlapakkam Police Station,
Tambaram City,
(Crime No.62 of 2026)

..Respondent(s)

Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Crime No.62 of 2026 on the file of the respondent police.

For Petitioners : Mr.S.Senthivel

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (Crl.Side)



Crl.O.P.No.11813 of 2026

ORDER

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The petitioners, who were arrested and remanded to judicial custody on 13.03.2026, for the offence punishable under Sections 8(c) r/w 20(b) (ii)(B) of the NDPS Act in Connection with Crime no. 62 of 2026 registered on the file of the respondent, seek bail.

2. The case of the prosecution is that the petitioners were found to be in illegal possession of 1.200 kgs of Ganja. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are no way connected with the above case and he has been falsely implicated in this case. The petitioners are in judicial custody from 13.03.2026 and hence, further custody of the petitioners are not required. He further submitted that the petitioners, without prejudice to their rights, are ready to deposit a sum of Rs.10,000/- to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioners, reiterated the prosecution case and submitted that the petitioners have no previous cases.



Crl.O.P.No.11813 of 2026

WEB COPY

5.Heard both sides and perused the materials available on record.

6.Considering the facts and circumstances of the case, the submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail on their executing separate bonds for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Tambaram** , 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 deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) (Non refundable) jointly towards the account of CANCER INSTITUTE (WIA), Adayar, Savings Bank Account maintained at Andhra Bank, Madhya Kailash Branch, Cancer Institute(WIA), Dr.S.Krishnamurthi Campus, Sardar Patel Road, Chennai-36, bearing SB Account No.149710011005477, IFS



CrL.O.P.No.11813 of 2026

Code No.ANDB0001497, Branch Name and Code 1497, MICR No.600011049 and to produce the Bank Challan **before the learned Judicial Magistrate No.II, Tambaram and the receipt shall be produced at the time of executing the bond;**

[c] the petitioners shall report before the respondent Police daily at 10.30 a.m., for a period of three weeks; thereafter as and when required for interrogation;

[d] the petitioners shall make themselves available for interrogation by a Police Officer as and when required;

[e] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[f] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[g] 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]**;

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

07.05.2026

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Crl.O.P.No.11813 of 2026

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 learned Judicial Magistrate No.II, Tambaram
- 2.The Inspector of Police
T-13 Chitlapakkam Police Station,
Tambaram City,
- 3.The Superintendent,
Central Prison, Puzhal II, Chennai
- 4.The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.11813 of 2026

L.VICTORIA GOWRI J.

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Crl.O.P.No.11813 of 2026

07.05.2026