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CrI.O.P.No.11750 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.05.2026

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

CrI.OP.No.11750 of 2026

1. Santhosh @ Pallancheriyar/A3
S/o.Dellibabu,
No. 2/389, Kiramani Street,
Pallanchery,
Madambakkam,
Chenagalpattu - 603 202.
2. Prathishkumar @ Guitar/A4
S/o.Venugopal,
No.3E/32, Bharatha Mada Street,
Vallalar Nagar,
Madambakkam,
Chengalpattu -603 202.

..Petitioner(s)

Vs

State Rep. by Inspector of Police
Guduvancherry Police Station,
Tambaram.
Crime No. 75/2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners/accused 2-4 in connection with FIR lodged in Cr.No. 75/2026 on the file of respondent police pending investigation in the interest of justice and equity.



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For Petitioners : Mr.S.Mohan Raj
For Respondent : Mr.V.J.Priyadarsana
Government Advocate (CrI.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 28.03.2026, for the offence punishable under Sections 8(c) 20(b) (ii)(B), 29(1) of the NDPS Act in Connection with Crime no.75 of 2026 registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioners along with other accused were in possession of 6 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 28.03.2026 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.20,000/- to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of bail to the petitioners.



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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.

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 petitioner 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,Chengalpattu** , 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;



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[b] The petitioners shall jointly deposit a sum of Rs.20,000/-(Rupees Twenty Thousand only) (Non refundable) 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 Code No.ANDB0001497, Branch Name and Code 1497, MICR No.600011049 and to produce the Bank Challan **before the Judicial Magistrate No.II, Chengalpattu, 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**



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Kerala [(2005)13 SCC 283];

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

07.05.2026

smn/vv

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,Chengalpattu**
- 2.The Inspector of Police
Guduvancherry Police Station,
Tambaram.
- 3.The Superintendent,
Central Prison, Puzhal
- 4.The Public Prosecutor,
High Court of Madras.



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L.VICTORIA GOWRI J.

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