



WEB COPY

CRL OP No. 12520 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12520 of 2026

Selva
S/o.Shankar,
No.4/ 227 , Indhira Nagar,
Puthiya coolany, Reddipalayam.
Sathiyamangalam, Viluppuram,
TamilNadu 604153

..Petitioner(s)

Vs

State Represented by The Inspector of Police
J-6 Thiruvanmiyur Police Station,
Chennai District,
(Crime .No.79 / 2026)

..Respondent(s)

Prayer:

Criminal Original Petition filed under Section 482 of BNSS, to enlarge the Petitioner on Anticipatory bail in the event of his arrest in Crime No. 79 of 2026 on the file of the Respondent police and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner(s): Mr.C.V.Vishnu

For Respondent(s): Mr.S.Balaji, GA (Crl.side)

ORDER

The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Section 8(c), 20(b)ii(B) & 29(1) of the NDPS Act, 1985, in connection with the Cr. No.79 of 2026, seeks anticipatory bail.



2. The case of the prosecution is that based on a complaint lodged by the de facto complainant, a verification was conducted, in which the 1st accused was found in possession 1 kg and 530 grams of ganja without any valid license or permit. During the course of investigation, the 1st accused had allegedly stated that the petitioner used to procure ganja, along with him, from Muthu (A3) and the sell the same to others. Based on the said confession, the petitioner was arrayed as 2nd accused in the Crime No.79 of 2026. Hence, the case.

3. The learned counsel for the petitioner would contend that the petitioner is no way connected with the above said offence and he was falsely implicated as the 2nd accused in the aforesaid crime number solely based on the confession statement of the 1st accused. Subsequently, the 1st accused was released on bail. Further, he would submit that the petitioner has no previous case. Hence, the petitioner may be released on anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that based on the confession of the 1st accused, they registered the case in Cr. No.79 of 2026 against the petitioner for the offence under Section 8(c), 20(b)ii(B) & 29(1) of the NDPS Act, 1985 and the case is under investigation. Hence, he strongly opposed to grant anticipatory bail to the petitioner.



WEB COPY

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

6. Considering the rival submissions on either side, considering the nature of offences, it appears that the quantity of contraband, recovered from the 1st accused, does not amount to commercial quantity, no contraband was recovered from the petitioner. Solely based on the confession of the 1st accused, the petitioner was arrayed as 2nd accused in Crime No.79 of 2026. It was also brought to the knowledge of this Court that the 1st accused was already released on bail, considering the fact that there is no previous case pending against this petitioner, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **XVIII Metropolitan Magistrate, Saidapet**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.00 am until further orders;



[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous permission of the Court;

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

14-05-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

nsa/rst

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 XVIII Metropolitan Magistrate,
Saidapet

2. The Inspector of Police
J-6 Thiruvanmiyur Police Station,
Chennai District

3. The Public Prosecutor,
High Court, Madras.



WEB COPY

CRL OP No. 12520 of 2



P.DHANABAL J.

nsa/rst

CRL OP No. 12520 of 2026

14-05-2026