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Crl.O.P.No.12610 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.12610 of 2026

Vinayagam

... Petitioner(s)

Vs.

The State rep. by
The Inspector of Police,
B2 – R.S.Puram Police Station,
Coimbatore.
Crime No.155 of 2025

... Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail concerned in Crime No.155 of 2025 pending on the file of the respondent police.

For Petitioner(s) : Mr.R.C.Paul Kanagaraj

For Respondent(s) : Mr.S.Yogaraja Sekar,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.03.2025 for the alleged offences under Sections 8(c) r/w Sections 20(b)(ii) (B), 22(b), 22(c), 25 and 29(1) of the NDPS Act and Sections 4(1)(a) and 4(1) (C) of the Tamil Nadu Prohibition (Amendment) Act, in Crime No.155 of 2025 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the co-accused were found in possession of 24.87 grams of MDMA, 4.316 kilograms of ganja and 92.43 grams of cocaine. Hence, the case.

3. The learned counsel for the petitioner/ second accused would submit that the petitioner is innocent and has been falsely implicated in this case. He would further submit that the co-accused has already been enlarged on bail vide order dated 10.12.2025 passed by this Court in Crl.O.P.No.29805 of 2025, which factum was not seriously disputed by the learned Government Advocate (Crl. Side). He further submitted that no recovery whatsoever was effected from the petitioner herein and even according to the prosecution itself, Accused Nos.1 to 3 travelled together in one vehicle, whereas the other accused were travelling separately in another vehicle. Hence, he prayed for the grant of bail.

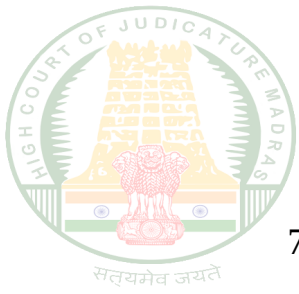
4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of bail, reiterated the prosecution case and, on instructions, submitted that Accused Nos.1 and 2 travelled in a car bearing Registration No.TN-66-S-4092 and that the third accused was travelling in another car as its driver. Therefore, according to him, the petitioner/ second accused cannot seek parity with the other accused who have already been



enlarged on bail. He further invited the attention of this Court to the observations made in the order dated 10.12.2025 passed in Crl.O.P.No.29805 of WEB C 2025, wherein it was observed that the contraband was recovered from the possession of Accused Nos.1 and 2.

5. Though the learned Government Advocate (Crl. Side) opposed the grant of bail on the ground that the petitioner cannot claim parity with the co-accused, this Court finds that no contraband was recovered from the petitioner. It is also the specific case of the prosecution that the Accused Nos.1 to 3 were travelling together in the vehicle, when the contraband was recovered. Further, the third accused, against whom there was a more direct allegation, has already been enlarged on bail by this Court.

6. Considering the above facts and circumstances, the period of incarceration undergone by the petitioner/ second accused, the fact that no recovery was effected from him, and also the fact that the co-accused against whom commercial quantity of contraband recovered have already been enlarged on bail and no appeal filed against such enlargement, this Court is inclined to enlarge the petitioner on bail by giving parity, subject to the certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on their executing a bond 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 Special Court for Trial of Cases under the EC Act, Coimbatore, 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;

[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 petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;



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[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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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 Special Court for Trial of Cases under the EC Act, Coimbatore
2. The Superintendent, Central Prison, Coimbatore.
3. The Inspector of Police, B2 – R.S.Puram Police Station, Coimbatore.
4. The Public Prosecutor, High Court of Madras



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C.KUMARAPPAN,J.

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