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CRL OP No. 12921 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. 12921 of 2026

Prabhakaran @ Bhaskaran
S/o. Murugan,
No.18, Paraivattam,
Vadugayampatti,
Salem District.

..Petitioner(s)

Vs

Home, Prohibition and Excise Department
The Inspector of Police,
Annathanapatti Police Station,
Salem City.

..Respondent(s)

Criminal Original Petition is filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.85 of 2026 on the file of the Respondent and thus render justice.

For Petitioner(s): Mr.C.Deepakkumar

For Respondent(s): Mr.R.Vinothkumar, Government Advocate
(Crl.Side)

Order

The petitioner / Accused who was arrested and remanded to judicial custody on 25.02.2026 for the offences punishable under Sections 8(c), 20(b)(ii) (B) of NDPS Act, 1985 in Cr.No.85/2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner was found with illegal possession of 1.400 kgs of ganja. Hence the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case against the petitioner for the above said offences and he was arrested and remanded to judicial custody on 25.02.2026. According to the prosecution, the petitioner had indulged in the illegal transportation of the contraband. Infact, the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. The contraband involved in this case was recovered. Investigation was almost completed. The earlier bail application filed by the petitioner was dismissed. Therefore prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the accused were found with illegal possession of 1.400 kgs of ganjas. Case is under investigation. It is further submitted that the petitioner is having 11 previous cases. Hence, he strongly opposed to grant bail to the petitioner.

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

6. Considering the rival submissions made on either side, considering the nature of offences and the seized contraband is not a commercial quantity,



and further the fact that the petitioner is in judicial custody from 25.02.2026, and though the petitioner is having some previous cases, those cases are not involved with similar kind of offence, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to 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 Judicial Magistrate No.IV, Salem, and on further conditions that:

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

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

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

[e] 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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

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[g] If the accused thereafter absconds, 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

SK

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 Inspector of Police,
Annathanapatti Police Station,
Salem City.

2.The Judicial Magistrate No.IV, Salem.

3.The Public Prosecutor,
Madras High Court.

4.The Superintendent,
Central Prison, Salem.



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P.DHANABAL J.

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