



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2026

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THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13253 of 2026

Gangaganesh, M/20 years
S/o Thirumalai,
No.115, Kannaiah Street,
Puliyanthope, Chennai-600 029.

Petitioner / Accused

Vs

State Rep. By,
The Inspector of Police,
P1, Puliyanthope Police station,
Chennai.
(Crime No. 139 of 2026)

Respondent /Complainant

PRAYER:- Criminal Original Petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to enlarge the petitioner on
bail in Crime No.139 of 2026 pending on the file of respondent police.

For Petitioner: Mr.P.Krishna Moorthy

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



ORDER

This Criminal Original Petition has been filed by the petitioner on 18.05.2026 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail.

2 The petitioner / accused was arrested and remanded to judicial custody on **16.04.2026** for the alleged offences punishable under Sections 8(c), 20(b)(ii)(B) and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.139 of 2026 on the file of the respondent police.

3 The case of the prosecution is that based on the secret information that the petitioner/sole accused is selling banned Ganja products to the School and College students for more money and thereby spoiling the life of younger generation, the respondent police along with his team, reached the spot and found that the accused was in possession of 1.200 grams of ganja. The accused was subsequently arrested, and the contraband was seized. Hence, the case.

4 The learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been in judicial custody since 16.04.2026. He further submits that the petitioner is ready to abide by any



stringent conditions that may be imposed by this Court. He therefore prays to grant bail to the petitioner.

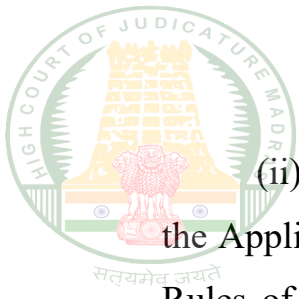
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5 *Per contra*, Mr.V.J.Priyadarsana, learned Government Advocate (Criminal Side) appearing for the respondent police submits that the respondent-police seized 1.200 grams of ganja from the petitioner. He further submits that the petitioner has 8 previous cases, which are not similar in nature.

6 Heard on both sides. This Court has perused the records.

7 The respondent police seized 1.200 grams of Ganja from the petitioner. The petitioner was arrested on 16.04.2026 and he is in incarceration since 16.04.2026. Considering the above reasons and the quantity of contraband (intermediate quantity) and period of incarceration, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand Only) to the satisfaction of the learned Metropolitan Magistrate – X, Egmore, Chennai. Among two sureties one shall be a blood surety.



(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Metropolitan Magistrate – X, Egmore, Chennai shall obtain a copy of any one of their identity proofs to ensure their identity.

(iii) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNSS, 2023.

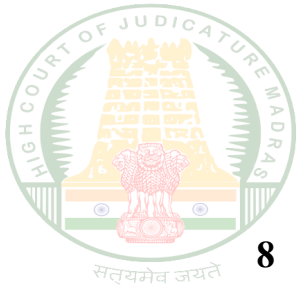
(iv) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(v) 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 them from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(vi) The petitioner shall appear and sign before the respondent police daily at 10.30 a.m. until further orders.

(vii) The petitioner shall not leave Tamil Nadu without prior permission of the Trial Court.

(viii) On breach of any of the aforementioned conditions, the learned Judicial Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala*** [(2005) 13 SCC 283].



8 Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

21-05-2026

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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 Metropolitan Magistrate – X, Egmore, Chennai
2. The Superintendent of Prison, Central Prison, Puzhal, Chennai.
3. The Inspector of Police, P1, Puliyanthope Police station, Chennai.
4. The Public Prosecutor, Madras High Court, Chennai.



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R.SAKTHIVEL J.

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