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CRL OP. No.13648 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.05.2026

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.O.P.No.13648 of 2026

Raja @ Sottaiyan Rajan
S/o.Arumugam,
No.80, New Sunnambu Soolai Kugai,
Erumapalayam Road
Salem-636 015.

... Petitioner / Sole Accused

Vs.

State Rep. By
The Inspector of Police
Kitchipalayam Police Station
Salem District
(Crime No.84 of 2026)

... Respondent / Complainant

PRAYER: Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail to the petitioner in Crime No.84 of 2026 on the file of the respondent police.

For Petitioner : Mr.A.Murali

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



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ORDER

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This Criminal Original Petition has been filed by the petitioner on 19.05.2026 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail.

2. The petitioner/sole accused was arrested and remanded to judicial custody on 28.03.2026 for the alleged offences punishable under Sections 8(C), 20(ii)(B), 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 in connection with Crime No.84 of 2026 on the file of the respondent police.

3. The case of the prosecution is that on 28.03.2026 at about 11.00 am, the petitioner/sole accused had entered into conspiracy for illicit transportation and sale of contraband and he was found in possession of 3.500 Kgs of ganja for sale and the same was seized by the respondent police. Hence, the case.

4. Mr.A.Murali, 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/sole accused has been in judicial custody since 28.03.2026 and till date, he has



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been under incarceration. He further submits that the petitioner has been arrayed as sole accused in this case and no contraband was recovered from the petitioner. The petitioner has permanent residence and accordingly, he prays to grant bail to the petitioner.

5. *Per contra*, Mr.V.Meganathan, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the respondent-police seized 3.500 Kgs of ganja from the sole accused. The respondent-police, after following the Act and Rules, seized the Narcotics/contraband. He further submits that investigation is in crucial stage and accordingly, he prays for the dismissal of this petition.

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

7. The petitioner is arrayed as sole accused in Crime No. 84 of 2026. The respondent police seized 3.500 Kgs of ganja from the accused person. The petitioner has been in judicial custody since 28.03.2026.



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8. Considering the quantity of Narcotic Drugs (Intermediate quantity) involved in this case; considering the period of incarceration, no previous case similar in nature against the petitioner, the fact that the petitioner is a daily wage labourer, and with a view to give one more opportunity to the petitioner to reform, this Court is of the view that further custody of the petitioner may not require. Therefore, this Court is inclined to enlarge the petitioner on bail, 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 Judicial Magistrate Court No.II, Salem District.

(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 Judicial Magistrate Court No.II, Salem District, 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.



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(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 on all working days at 10.00 a.m. until further orders.

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

(viii) The petitioner shall appear and co-operate with the Trial Court for speedy disposal of the case.

(ix) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate Court No.II, Salem District.

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate Court No.II, Salem District, 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].



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

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MSM

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 official website of this Court will be watermarked and will also have a QR code.**

To

1. The Judicial Magistrate Court No.II,
Salem District.
2. The Superintendent,
Central Prison,
Salem District.
3. The Inspector of Police
Kitchipalayam Police Station
Salem District.
4. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.



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R. SAKTHIVEL,J

MSM

Order made in
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21.05.2026

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