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CRL OP No. 14792 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14792 of 2026

Venkatesh

..Petitioner

Vs

The State Rep. by
The Inspector of Police,
Kannankurichi Police Station,
Salem. Crime No.141 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Crime No.141 of 2026 on the file of the Inspector of Police, Kannankurichi Police Station, Salem.

For Petitioner:

Mr.P.Thinesh

For Respondent:

Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.05.2026 for the alleged offences under Sections 8(c) r/w 20(b)(ii)(B) of Narcotics Drugs and Psychotropic Substances Act, 1985, in Crime No.141 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner along with the other accused were found in possession of 1.100 kilograms of ganja. Hence, the case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the case and that no prejudice would be caused to the prosecution if he is enlarged on bail. It is further submitted that the petitioner is prepared to furnish solvent sureties and is ready to abide by any condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent opposed the bail application on the ground that the petitioner has got 32 previous cases. However, the learned counsel for the petitioner submitted that all those cases are not similar in nature and are mostly prohibition cases, which fact was not seriously disputed by the learned Government Advocate (Crl.Side).

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

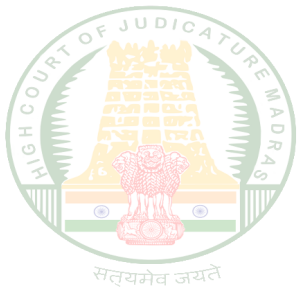


6. From the submission of the learned counsel on either side, this Court is of the view that the present case relates to recovery of 1.100 kilograms of ganja from all the accused together. The quantity involved is within the threshold limit of intermediate quantity and therefore the rigour under Section 37 of the NDPS Act would not attract. Though the petitioner is stated to have previous cases, they are not similar NDPS cases. Taking into consideration the nature of recovery, the fact that the quantity involved is intermediate in nature and the incarceration of the petitioner since 17.05.2025, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty-Five Thousand only), with two sureties for a like sum each to the satisfaction of the learned **Additional District Judge/Presiding Officer, Special Court for E.C. Act and NDPS Act cases, Salem**, 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;



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[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 petitioner 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]***;

[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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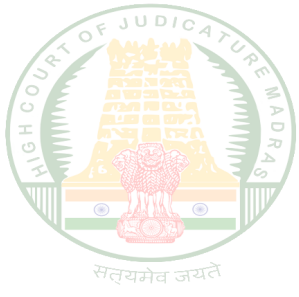
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Note:

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 Additional District Judge/Presiding Officer,
Special Court for E.C.Act and NDPS Act Cases, Salem.
2. Central Prison, Salem.
3. The Inspector of Police,
Kannankurichi Police Station, Salem.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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