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CRL OP No. 14914 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. 14914 of 2026

Arun @ Gilli Arun

..Petitioner

Vs

State rep.by,
The Inspector of Police,
T5, Vanagaram Police Station,
Chennai District.
Crime No.359/2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime
No.359 of 2026 pending on the file of the Respondent.

For Petitioner:

Mr.P.Muthamizh Selvakumar

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
08.05.2026 for the alleged offences under Sections 8(c) r/w 20(b)(ii)(B), 29(1)
of NDPS Act, in Crime No.359 of 2026 on the file of the respondent police,
seeks bail.

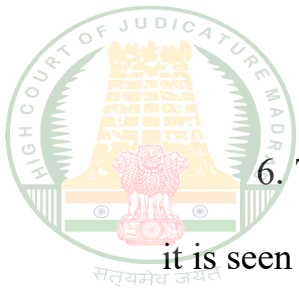


2. The case of the prosecution is that the petitioner along with another accused was found involved in the sale of 1.170 kilograms of ganja. Hence, the case was registered.

3. The learned counsel appearing for the petitioner submitted that there are two accused in the case and the petitioner is arrayed as A1. It is further submitted that the total recovery from both the accused is only 1.170 kilograms of ganja. The learned counsel would further submit that though the petitioner has been implicated in previous cases in C.C.No.171/2022, C.C.No.501/2017, C.C.No.502/2017, C.C.No.229/2018, S.C.No.496/2023, he has already been acquitted in five cases and copies of the judgments have been produced before this Court. It is also submitted that the petitioner has been in incarceration since 08.05.2026. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner has got ten previous cases. However, it is submitted that the remaining cases are Indian Penal Code offences and not similar of Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985 offences.

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



6. This Court is of the view that though the petitioner has previous cases, it is seen that he has already secured acquittal in several cases and the remaining cases are not similar NDPS offences. The total recovery involved is 1.170 kilograms of ganja, which is at the threshold limit of intermediate quantity. Taking into consideration the totality of the circumstances, the incarceration of the petitioner since 08.05.2026 and the quantity involved, 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 **Judicial Magistrate Court -II, Poonamallee**, 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. for a period of one month and thereafter as and when required for interrogation;

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



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[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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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 Judicial Magistrate Court II, Poonamallee.
2. Central Prison, Puzhal.
3. The Inspector of Police, T5, Vanagaram Police Station, Chennai District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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