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CRL OP No. 15633 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15633 of 2026

1. Basant Singh
2. Gotamkumar Singh

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
Thevur Police station,
Salem District.
(Crime No.127 of 2026)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in crime
no.127 of 2026 on the file of respondent police.

For Petitioner(s):	M/S. Prathap.K
For Respondent(s):	Mr.S.Yogaraja Sekar, Counsel for Government of Tamil Nadu (Criminal Side)

Order

The petitioners, who were arrested and remanded to judicial custody on
23.05.2026 for the alleged offence under Sections 8(c) r/w 20(b)(ii)(B) of
NDPS Act in Crime No.127 of 2026 on the file of the respondent police, seeks
bail.



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2. The case of the prosecution is that based on the secret information, the respondent police went to the place of occurrence and found that the petitioners were found to be in illegal possession of 5 kgs of Ganja. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in the present case and that they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioners.

4. Per contra, the learned counsel for Government of Tamil Nadu (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the petitioners, who are arrayed as A1 and A2, were arrested on 23.05.2026. He also submits that no previous case is pending against the petitioners. However, he opposed to grant bail to the Petitioners.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.



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6. Considering the facts and circumstances of the case; taking note of the submission made by the learned Counsel for Government of Tamil Nadu (Criminal Side), considering the totality of the circumstances, and upon the fact that there are no bad criminal antecedents against the petitioners, the period of incarceration of the petitioners, the quantity involved is an intermediate quantity, this Court is inclined to grant bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate-I, Sankari** and on further conditions that:

[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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioners shall not abscond either during



investigation or trial;

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[d] the petitioners 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 pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

22-06-2026

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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.



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To:

1. The Judicial Magistrate-I, Sankari.
2. The Inspector of Police
Thevur Police station,
Salem District.
3. The Central Prison, Salem.
4. The Public Prosecutor
High Court of Madras



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C.KUMARAPPAN J.

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