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CRL OP No. 15772 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15772 of 2026

Santhosh kumar S/o. Murugan,
No.101, Periyar Nagar nasiyanur,
Erode District - 638 107.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police,
Kanchikoil Police Station,
Erode District.
[Cr.No.59 of 2026.]

..Respondent(s)

PRAYER: This Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail in connection with the Cr.No.59 of 2026 on the file of the Respondent police.

For Petitioner(s): Mr. D.Padmanabhan

For Respondent(s): Mr.S.Yogaraja Sekar,
Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.05.2026 for the alleged offences under Sections 8(c), 20(b)(ii)(B) and 29(1) of NDPS Act in Crime No.59 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that on 27.05.2026, when the respondent police conducted a search on secret information near Kanchikovil to Senngalipalayam Road, they found the accused with illegal possession of 3.500 kgs of Ganja. There are totally 3 accused. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is under incarceration since 27.05.2026 and the total recovery from all the accused is only 3.500 kgs of Ganja, which comes under the intermediate quantity and this petitioner has been alleged to have possessed only 1.500 kgs of Ganja and hence prays for grant of bail to the petitioner.

4. The above said factum was not seriously disputed by the learned Government Advocate (Criminal side) appearing for the respondent police.

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

6. Considering the totality of circumstances, upon the fact that the quantity of contraband involved in this case comes under the intermediate quantity and the considering the incarceration period of the petitioner from 27.05.2026, this Court is inclined to enlarge him on bail, subject to the following stringent 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 each, for a like sum to the satisfaction of the **learned Additional District Judge / Presiding Officer, Special Court for Essential Commodities Act cases, Coimbatore** and on further conditions that:

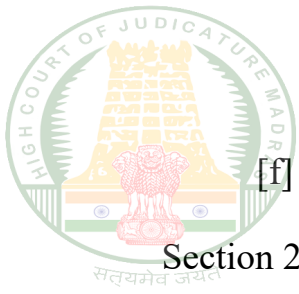
[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall sign before the respondent police daily at 10.30 a.m. and 5.30 p.m. for a period of two weeks and thereafter as and when requited by the investigation officer for interrogation;

[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 pass appropriate orders against the petitioner 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.

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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 Additional District Judge / Presiding Officer, Special Court for Essential Commodities Act cases, Coimbatore.
2. The Inspector of Police, Kanchikoil Police Station, Erode District.
3. The Superintendent of Police, Central Prison, Coimbatore.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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