



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16255 of 2026

1. Santhoshkumar
2. Nirmalkumar

..Petitioners

Vs

The State Rep.by
Inspector of Police,
Kavundampalayam Police Station,
Coimbatore district.
(Cr.No.235 of 2026.)

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.235 of 2026 on the file of the respondent.

For Petitioner: Mr.R.Subramanian

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 04.06.2026 for the alleged offences under Sections 8(c) r/w 20(b)(ii)(B), 29(1) of NDPS Act 1985 in Crime No.235 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioners were found in possession of 1.200 kilograms of Ganja. Hence the case.

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3. The learned counsel appearing for the petitioners would submit that the total recovery in the present case is only 1.200 kilograms of ganja, which falls within the threshold of intermediate quantity. It is further submitted that there are no previous criminal antecedents against the petitioners. The learned counsel would further submit that the petitioners have been in incarceration since 04.06.2026. It is also submitted that the petitioners are permanent residents and are ready to abide by any condition that may be imposed by this Court. Hence, he prays to grant bail to the petitioners.

4. The learned Government Advocate (Crl.Side) opposed the bail application by submitting that the petitioners were found in conscious possession of ganja. However, it is not disputed that the total quantity involved is only intermediate quantity and that there are no previous criminal antecedents against the petitioners.

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



6. Taking into consideration the fact that the total recovery in the present case is only 1.200 kilograms of ganja, which falls within the intermediate quantity and the fact that the petitioners have no previous criminal antecedents and they have been in incarceration since 04.06.2026, this Court is inclined to enlarge the petitioners on bail, 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 each to the satisfaction of the learned **Judicial Magistrate No.I, Coimbatore**, 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 petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;

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

[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 take appropriate



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action against the petitioners in accordance with law as if the conditions had been imposed and the petitioners 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 petitioners 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 No.I, Coimbatore.
2. The Superintendent, Central Prison, Coimbatore.
3. The Inspector of Police, Kavundampalayam Police Station, Coimbatore District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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