



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16555 of 2026

Eswar @ Easwar.J
S/o. Johnson,
No.6A, Thidir Nagar,
Bricklin road, Purasaiwakkam,
Vepery, Chennai.

..Petitioner(s)

Vs

State represented by:

The Inspector of Police,
K 2, Ayanavaram Police Station,
Chennai District.
Crime No.213 of 2026

..Respondent(s)

PRAYER: This Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to grant bail to release the Petitioner on bail pending in Crime No.213 of 2026 on the file of the respondent/ police.

For Petitioner(s):	Mr. S.Yakin Jebbaraj
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) read with 20(b)(ii)(B) and 29(1) of NDPS Act in Crime No.213 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that the petitioner was found with illegal possession of 1.2 kgs of Ganja. Hence the case.

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3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been remanded to judicial custody on 27.05.2026 and he would further submit that even according to the prosecution, the accused was found with illegal possession of 1.2 kgs of Ganja, which is only an intermediate quantity and there is no recovery from this petitioner and he is ready to abide by any condition that may be imposed by this Court and hence prays for grant of bail to the petitioner.

4. At this juncture, the learned Government Advocate (Criminal side) appearing for the respondent police would submit that the petitioner has 4 previous cases, however, those cases are of IPC offences.

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

6. Though the petitioner has four previous cases, all are IPC offences and total recovery in this case is 1.2 kgs of Ganja and as far as this petitioner is concerned, there is no recovery from him. Considering the peculiar facts of the case and considering the long period of incarceration of the petitioner since



27.05.2026, this Court is inclined to enlarge the petitioner on bail, subject to the following stringent conditions:

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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 **V Metropolitan Magistrate, Egmore, Chennai** and on further conditions that:

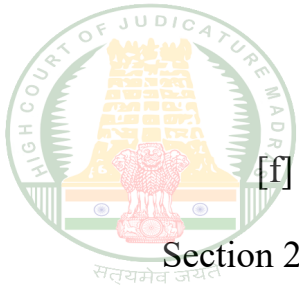
[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] **the petitioner shall appear before the respondent police daily at 10.30 a.m. and 5.30 p.m. until further orders;**

[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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MJS

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 V Metropolitan Magistrate, Egmore, Chennai-8.
2. The Inspector of Police, K 2, Ayanavaram Police Station, Chennai District.
3. The Superintendent of Police, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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