

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 17074 of 2026

Papun Swain
S/o. Dibakar Swain,
D.No.60, Linganur, Anna Nagar,
2nd Street, Coimbatore North,
Coimbatore District.

..Petitioner(s)

Vs

The State Represented by the Inspector of Police
Bazaar Police Station,
Coimbatore District.
Crime No.131/2026

..Respondent(s)

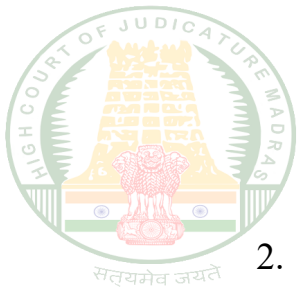
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on Bail in connection with the Crime No.131 of 2026 on the file of the respondent police and pass such order or further order as this Honble Court

For Petitioner(s): Mr.D.Padmanabhan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.05.2026 for the alleged offences under Sections 8 (c), 20(b)(ii)(B), 25 of NDPS Act in Crime No.131 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner was found in possession of 3.350 kgs of ganja. Hence, the case.

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

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and fairly submitted that the petitioner was in possession of 3.350 kgs of ganja which comes under intermediate quantity. He further submitted that the entire contraband was recovered from the petitioner. He also submitted that the petitioner has no previous criminal antecedents, however, as the petitioner is a native of Orissa, there is a likelihood of his absconding if released on bail. Hence, he opposed the grant of bail to the Petitioner.

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



6. From the submissions made by the learned counsel on either side and taking into consideration of the above averment of the learned Government Advocate (Crl.Side), this Court is of the firm view that it is appropriate to consider the bail application of the petitioner as the quantity comes under intermediate one and also considering the duration of incarceration of the petitioner since 23.05.2026, this Court is inclined to enlarge the petitioner on bail subject to certain conditions.

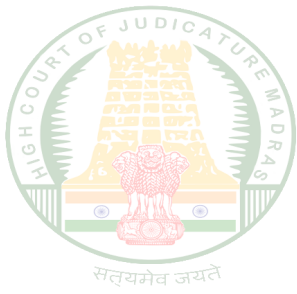
7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each (among two sureties, one should be a blood surety and one should be a local surety)**, for a like sum to the satisfaction of the **learned Additional District Judge of 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 report before the respondent police daily at 10.30 a.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



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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.

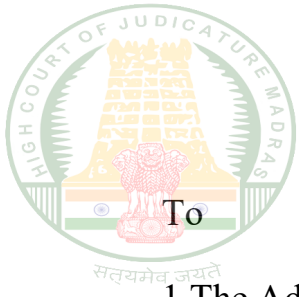
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DRL

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.



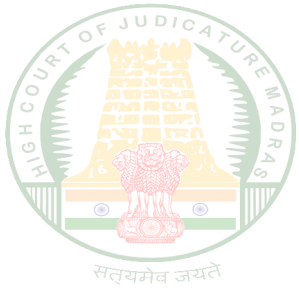
To

1. The Additional District Judge of
Special Court for Essential Commodities
Act Cases, Coimbatore.

2. The Inspector of Police
Chithode Police Station,
Erode.

3. The Superintendent,
Central Prison,
Coimbatore.

4. The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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