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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 10-11-2026**

CORAM

**THE HON'BLE MR.JUSTICE N.RAMESH**

**CRL OP No. 28632 of 2026**

*CNR: {HCMA012287802026}*

*and*

**Crl.O.P.No.28617 of 2026**

Case QR

**In CRL OP No. 28632 of 2026**

Sudhir Alberia
S/o Ghasi Alberia,
Guneipada Post,
Machhkund Police Station,
Koraput District,
Odisha.

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
Arcot Town Police Station,
Ranipet.
Crime No.171 of 2025

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of BNSS praying to enlarge the petitioner on bail in Crime NO.171 of 2025 pending on the file of the respondent police.

For Petitioner(s): Mr.S.Mohamed Abbas

For Respondent(s): Mr.M.M.I.Khaleel
Government Advocate (Crl. Side)



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**In Crl.O.P.No.28617 of 2026'**

Relimajhi
S/o Bagamakhi,
Kadama Merada,
Kadama Rayagada,
Odisha State.

..Petitioner(s)

Vs

State rep by the Inspector of Police
Arcot Taluk Police Station,
Ranipet District.
Crime No. 171 of 2025

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of BNSS praying to enlarge the petitioner on bail in Crime No.171 of 2025 pending on the file of the respondent police and thus render justice.

For Petitioner(s): Mr. S.Sudhanthiran

For Respondent(s): Mr.M.M.I.Khaleel
Government Advocate (Crl. Side)

**ORDER**

The petitioners, who were arrested and remanded to judicial custody on 02.04.2025 for the alleged offences punishable under **Sections 8(c) read with Sections 20(b)(ii)©, 25 and 29(1) of NDPS Act** in Crime No. 171 of 2025 on the file of the respondent police, seeks regular bail.



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2. The case of the prosecution is that on 01.04.2025 at about 21:05 hours, when the respondent police personnel were on station duty, they received secret information regarding the illegal transportation of narcotic substances. After receiving the information, the police team proceeded to the scene of occurrence near SSS College Junction, on the Bangalore to Chennai Highway, wherein the police party identified A3, who was standing suspiciously, and apprehended him. During the course of investigation, the accused revealed that A2, A4, and A9 were also coming to that location. Upon a search being conducted, the police intercepted them along with a Maruti Suzuki Swift car bearing registration No. OR 02 AL 0021 under cover of a seizure mahazar in the presence of witnesses. Subsequently, A4 and A9 escaped from the spot. The respondent police arrested A1 to A3 and recorded their confession statements, wherein A1 and A2 revealed that they had purchased the contraband in Odisha State and were selling the same for their personal gain. Based on the above, a case was registered in Crime No. 171 of 2025 for offences punishable under Sections 8(c) read with 20(b)(ii)(C), 25, and 29(1) of the NDPS Act. . . Hence, the case.

3. The petitioners are A2 and A6. The Hon'ble Supreme Court in **Gupta Charansahu Vs. State of Tamil Naud vide order Special Leave Petitioner (Criminal) No.16726 of 2026** has released the petitioners on bail on 03.11.2026. The relevant paragraphs are as follows:



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*(8) From a perusal of the counter affidavit, we find that there are altogether 10 accused persons and the contraband seized is 120 kgs of Ganja. There is no apportionment of the contraband amongst the accused persons to determine the threshold of commercial quantity qua each accused which is 50 kgs of Ganja. In the counter affidavit it is also stated that appellant has a criminal antecedent of similar nature which is pending.*

*(11) We further find that there are a total 15 witnesses proposed to be examined by the prosecution. Therefore, there is no reasonable prospect of an early conclusion of the trial.*

Hence, the above principle will be applicable to the petitioners who are arrayed as A2 and A6. Hence, this Court is inclined to grant regular bail to the petitioner subject to the following conditions:

4. Accordingly, the petitioners are 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 Special Judge for EC & NDPS, Salem** and on further conditions that:



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[a] the sureties shall affix his 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 his identity;

(b) the petitioners shall report before the respondent police daily at 10:30 A.M. for a period of 30 days 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 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.

**10-11-2026**

SMA



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**N.RAMESH, J.**

**SMA**

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To

1. The Inspector of Police
   Arcot Town Police Station,
   Ranipet.

2. Special Judge for EC & NDPS, Salem

3. The Superintendent,
   Central Prison, Salem.

4. The Public Prosecutor,
   Madras High Court.

**CRL OP Nos. 28632 & 28617 of 2026**

**10-11-2026**



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