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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30871 of 2026

CNR:{HCMA012562492026}

Upendra Bhesra

..Petitioner

Vs

State represented by,
Inspector of Police,
Siruvalur Police Station,
Erode.
Cr.No.119 of 2026.

..Respondent

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.119 of 2026 on the file of the Respondent Police.

For Petitioner: Mr.D.Padmanabhan

For Respondent: Mr.R.S.Indira
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.09.2026 for the alleged offence under Sections 8(c) r/w 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No. 119 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 25.09.2026, based on the secret information, the respondent police went to the spot and found that petitioner along with other accused were found to be in illegal possession of 5 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. The learned Additional Public Prosecutor appearing for the Respondent Police reiterated the prosecution case and submitted that petitioner was found to be in illegal possession of 5 kgs of Ganja. Hence, she opposed for grant of bail to the Petitioner.

5. Heard the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor for the respondent Police and perused the materials available on record.

6. Considering the facts and circumstances of the case; taking note of the submission made by the learned Additional Public Prosecutor; considering the totality of the circumstances and considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain 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 (among two sureties, one should be a blood surety and one should be 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 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**

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SCC 283];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

23.10.2026

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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 of Special Court for Essential Commodities Act Cases, Coimbatore.

2. Inspector of Police,
Siruvalur Police Station,
Erode.

3.The Superintendent, Gopichettipalayam Prison.

4.The Public Prosecutor, High Court of Madras.

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N.RAMESH J.

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