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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.O.P.No.30749 of 2026

CNR: {HCMA012562602026}

Srivishnu Prabhu ..Petitioner

Vs

State rep by the Inspector of Police,
Sulur Police Station,
Coimbatore.
Cr.No.776/2026

..Respondent

PRAYER: To enlarge the petitioner on bail in connection with the Crime No.776 of 2026 on the file of the Respondent Police and pass such order or further order as this Court.

For Petitioner : Mr.D.Padmanabhan

For Respondent : Mrs.R.S.Indira,
Additional Public Prosecutor.

ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.09.2026 for the alleged offences punishable under Sections 8(c) r/w 20(b)(ii)(B), 29(1) of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985 and Section 123 of the Bharatiya Nyaya Sanhita (BNS) Act, 2023, in Crime No.776 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on the day of the incident, the petitioner was found to be in illegal possession of contraband, namely 2 kgs of ganja, 200 numbers of Nitrazepam tablets, and 1000 numbers of Tapentadol tablets. Hence, the registration of the present case against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent of the alleged offences and has been falsely implicated in this case. He further submitted that the quantities involved in the present case fall under the category of intermediate quantity, and therefore, the stringent bar under Section 37 of the NDPS Act does not apply. He also added that the petitioner has been languishing in judicial custody since 28.09.2026 and that the continuous custodial interrogation of the petitioner is no longer required.

4. The learned Additional Public Prosecutor appearing for the respondent state opposed the grant of bail to the petitioner but fairly conceded that the seized contraband items fall under the category of intermediate quantity.

5. Hearing the learned counsel on either side and perusing the materials available on record, it is clear that the seized contraband consisting of 2 kgs of ganja, 200 numbers of Nitrazepam tablets, and 1000 numbers of Tapentadol tablets falls under the intermediate category. Considering the period of incarceration undergone by the petitioner from 28.09.2026 and the fact that the rigours of Section 37 of the NDPS Act are not attracted to this case, this Court is inclined to grant bail to the petitioner.

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6. 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 learned **Additional District Judge of Special Court for Essential Commodities Act Cases, Coimbatore,** and on further conditions that:

[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 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, and shall not maintain any contact with the witnesses to the occurrence, the officials dealing with the case, or any other person who might be connected to the occurrence;

[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];**

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N.RAMESH

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[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. The Superintendent, Central Prison, Coimbatore.

3. The Inspector of Police, Sulur Police Station, Coimbatore.
4. The Public Prosecutor, High Court of Madras.

CRL.O.P.No.30749 of 2026

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