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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30787 of 2026

CNR: {HCMA012562712026}

1. Vetriselvan
2. Manoj
3. Sanjay

..Petitioner(s)

Vs

State rep by,
The Inspector of Police,
Kavandapadi Police Station,
Erode.
Crime No.207 of 2026. ..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioners on bail in connection with the Crime No.207 of 2026 on the file of the Respondent Police.

For Petitioner(s): Mr.D.Padmanabhan

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 05.09.2026 for the alleged offences punishable under Sections 8(c), 20(b)(ii)(B) and 25 of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985, in Crime No.207 of 2026 on the file of the respondent police, seek bail.

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2. The case of the prosecution is that on the day of the incident, the petitioners, arrayed as A2, A3 and A4, along with other accused persons, were found to be in joint possession of contraband, namely 4 kgs of ganja. Hence, the registration of the present case against the petitioners.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent of the alleged offences and have 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 petitioners have been languishing in judicial custody for a considerable period and are ready to abide by any conditions imposed by this Court.

4. The learned Additional Public Prosecutor appearing for the respondent state opposed the grant of bail to the petitioners, highlighting the gravity of the offences involving joint possession of narcotic substances with other accused persons.

5. Hearing the learned counsel on either side and perusing the materials available on record, it is clear that the seized contraband consists of 4 kgs of ganja, which fall under the intermediate category. Taking into account the period of incarceration already undergone by the petitioners, and since the statutory bar under Section 37 of the NDPS Act is not attracted, this Court is inclined to grant bail to the petitioners.

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6. Accordingly, the petitioners are ordered to be released on bail on their 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 **Judicial Magistrate No.II, Gobichettipalayam,** 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 petitioners shall report before the respondent police daily at 10:30 A.M. until further orders;

[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, 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 petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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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[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 Judicial Magistrate No.II,
Gobichettipalayam.

2. The Superintendent,
Gobichettipalayam Prison.

3. The Inspector of Police,
Kavandapadi Police Station,
Erode.

4. The Public Prosecutor,
High Court of Madras.

CRL OP No. 30787 of 2026

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