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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.11.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.32437 of 2026

CNR: {HCMA012647232026}

1. Prem Kumar

2. Vijiyaraghavan

Case QR

..Petitioners

Vs

State Rep. by, The Inspector of Police,
Kavundampalayam Police Station,
Coimbatore District.
Cr.No.450 of 2026.

..Respondent

PRAYER: To enlarge the petitioners on bail in Cr.No.450 of 2026 pending on the file of the Respondent Police.

For Petitioners : Mr.A.Saranraj

For Respondent : Mr.M.M.I.Khaleel,
Government Advocate (Crl.side)

ORDER

The petitioners were arrested and have been in judicial custody since 07.10.2026 in connection with Crime No.450 of 2026 for offences punishable under Sections 8(c), 20(b)(ii)(B), and 29(1) of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985, read with Section 123 of the Bharatiya Nyaya Sanhita (BNS), 2023.

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2. The gist of the allegation is that the petitioners were found in joint and unlawful possession of an intermediate quantity of contraband, comprising 1.100 kg of Ganja and 300 numbers of Tapentadol tablets.

3. The learned counsel for the petitioners submits that the contraband seized is an intermediate quantity, and therefore, the statutory bar under Section 37 of the NDPS Act does not apply to the facts of the present case. It is further submitted that the petitioners have been in continuous incarceration since 07.10.2026 and are ready to abide by any stringent conditions imposed by this Court.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of bail on the ground that the petitioners were in joint possession of commercial and psychotropic substances. He further submitted that while the second petitioner/A2 has no previous cases, the first petitioner/A1 has one previous case under the Indian Penal Code (IPC).

5. Considering the facts and circumstances of the case, the quantity of contraband seized being intermediate, the individual criminal antecedents of the petitioners, and the period of judicial custody undergone by them from 07.10.2026, this Court is inclined to grant bail to the petitioners with certain conditions.

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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.I, 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 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;

[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.

05.11.2026

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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.I, Coimbatore.

2. The Superintendent of Police,
Central Prison, Coimbatore.

3. The Inspector of Police,
Kavundampalayam Police Station,
Coimbatore District.

4. The Public Prosecutor,
High Court of Madras.

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N.RAMESH, J.

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CRL.O.P.No.32437 of 2026

05.11.2026

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