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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.32572 of 2026

CNR: {HCMA012664172026}

Bajlu Rahaman Sekh

Case QR

..Petitioner

Vs

The State rep by the Inspector of Police,
E3, Saravanampatty Police Station,
Coimbatore City.
Crime No.508/2026.

..Respondent

PRAYER: To enlarge the petitioner on bail in Crime No.508 of 2026 on the file of respondent police.

For Petitioner : Mr.Selvakumar Subramaniam

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on **29.09.2026** for the alleged offences punishable under **Sections 8(c) read with 20(b)(ii)(B)** of the Narcotic Drugs and Psychotropic Substances Act, 1985, in **Crime No. 508 of 2026** on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on **29.09.2026**, based on secret information, the respondent police conducted surveillance within their jurisdiction and intercepted the petitioner (sole accused). Upon search, the

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petitioner was found in illegal possession of **1.145 kgs of Ganja**. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and has been falsely implicated in this case. He would further submit that the contraband allegedly seized from the petitioner is **1.145 kgs of Ganja**, which is an intermediate quantity, and therefore the statutory bar under **Section 37 of the NDPS Act** is not attracted. He would also submit that the material part of the investigation is almost completed and the petitioner has been suffering incarceration since **29.09.2026**. Hence, he prays for grant of bail to the petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner was found in illegal possession of **1.145 kgs of Ganja**, which is an intermediate quantity, and that the investigation is still pending. Hence, he vehemently opposed the grant of bail to the petitioner.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent police, and perused the materials available on record.

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6. Taking into consideration the facts and circumstances of the case, the fact that the contraband involved in this case is **1.145 kgs of Ganja**, which is an intermediate quantity and does not attract the rigour of **Section 37 of the NDPS Act**, the stage of investigation, and the period of incarceration undergone by the petitioner from **29.09.2026**, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

7. Accordingly**, this Criminal Original Petition is allowed and 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) each with two sureties, **of whom one shall be a blood surety,** each for a like sum to the satisfaction of **the Court of Additional District Judge/Presiding Officer, 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 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;

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[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 SCC 283];**

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

11.11.2026

kmm

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.

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To

1. The Court of Additional District Judge/Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore.

2. The Superintendent,
Central Prison, Coimbatore.

3. The Inspector of Police,
E3, Saravanampatty Police Station,
Coimbatore City.

4. The Public Prosecutor, High Court of Madras.

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N.RAMESH, J.

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