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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.32988 of 2026

CNR: {HCMA012694442026}

1. Veera Sai Santhosh Kiran

Case QR

2. Devi Pudi

..Petitioners

Vs

The State rep by the Inspector of Police,
T.R.Pattinam Police Station,
Karaikkal,
Puducherry District.
Crime No.154/2026

..Respondent

PRAYER: To enlarge the petitioners on bail in Crime No.154 of 2026 on the file of the respondent police.

For Petitioners : Mr.K.Kannadhasan
For Respondent : Ms.H.Djearany Omprakash,
Government Advocate.

ORDER

The petitioners, who were arrested and remanded to judicial custody on 05.09.2026 for the alleged offences punishable under Sections 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 111 of BNS, 2023, on the file of the respondent police, seek bail.

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2. The case of the prosecution is that the petitioners, who are relatives of the first accused (A1), along with the other accused persons, jointly procured and transported **five bundles of Ganja** (each weighing around 2 kgs, totalling **10.84 kgs**) from Andhra Pradesh at the direction of the fifth accused (A5). Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and have been falsely implicated in this case solely on the basis of confession statements. He would further submit that the total contraband allegedly seized is **10.84 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 petitioners have **no previous cases** pending against them, the material part of the investigation is almost completed, and the petitioners have been languishing in judicial custody since **05.09.2026**. Hence, he prays for grant of bail to the petitioners.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police has filed a counter/objection and would submit that the petitioners are relatives of A1 and that they jointly transported five bundles of Ganja totally weighing **10.84 kgs** from Andhra Pradesh at the instigation of A5. He would further submit that the investigation is still pending and vehemently opposed the grant of bail to the petitioners.

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5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondent police, and perused the materials available on record, including the objection filed by the respondent.

6. Taking into consideration the facts and circumstances of the case, the fact that the contraband involved in this case is **10.84 kgs of Ganja**, which is an intermediate quantity and does not attract the rigour of **Section 37 of the NDPS Act**, the fact that there are **no previous cases** against the petitioners, the stage of investigation, and the period of incarceration undergone by the petitioners from **05.09.2026**, this Court is inclined to grant bail to the petitioners, subject to the following conditions:

7. Accordingly**, this Criminal Original Petition is allowed and the petitioners are 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, each for a like sum to the satisfaction of **the learned Special Judge (Under NDPS Act), Karaikal,** 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 petitioners shall report before the respondent police daily at 10:30 A.M. until further orders;

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[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];**

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

12.11.2026

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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.

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To

1. The Special Judge (Under NDPS Act), Karaikal.

2. The Superintendent,
Central Prison, Kalapet.

3. The Inspector of Police,
T.R.Pattinam Police Station,
Karaikkal,
Puducherry District.

4. The Public Prosecutor, High Court of Madras.

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N.RAMESH, J.

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