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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.33642 of 2026

CNR: {HCMA012732692026}

1. Umar Sharif

2. Satham Usain

..Petitioners

Vs

State Represented by Inspector of Police,
Kuniyamuthur Police Station,
Coimbatore.
Cr.No.438/2026

..Respondent

PRAYER: To enlarge the Petitioners on bail in connection with the Crime No.438 of 2026 on the file of the Respondent Police and pass such order or further order as this Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioners : Mr.D.Padmanabhan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on **25.10.2026** for the offences punishable under **Sections 8(c), 20(b)(ii)(A), 25 and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 123 of the Bharatiya Nyaya Sanhita (BNS), 2023**, in **Crime No.438 of 2026** on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner along with the other accused was found in illegal possession of **500 grams of Ganja**. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the contraband involved is only a **small quantity** of **500 grams of Ganja** and the petitioner has been suffering incarceration from **25.10.2026**. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the investigation is almost completed and that the contraband involved is 500 grams of Ganja, which is a small quantity. He would further submit that there are two previous cases pending against the first petitioner (A1) and three previous cases pending against the second petitioner (A2). Hence, he vehemently opposed for grant of bail to the petitioners.

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

6. Taking into consideration the facts and circumstances of the case, the period of incarceration suffered by the petitioner from **25.10.2026**, the stage of investigation, and the fact that the contraband seized is a small quantity of 500 grams where the bar under Section 37 of the NDPS Act is not attracted, this Court is inclined to grant bail to the petitioner.

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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 **i.e. one local surety and another one blood surety** each for a like sum to the satisfaction of **the learned Judicial Magistrate Court No.III, 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 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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N.RAMESH, J.

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

18.11.2026

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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 Court No.III, Coimbatore.

2. The Superintendent,
Central Prison, Coimbatore.

3. The Inspector of Police, Kuniyamuthur Police Station, Coimbatore.

4. The Public Prosecutor, High Court of Madras.

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