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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.33653 of 2026

CNR: {HCMA012755052026}

Dharani

..Petitioner

Vs

The State Rep By The Inspector of Police,
Paradarami Police Station,
Vellore District.
Crime No.217 of 2026

..Respondent

PRAYER: To enlarge the petitioner on bail pending investigation in Crime No.217 of 2026 on the file of respondent and render justice.

For Petitioner : Mr.T.Muruganantham

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

ORDER

The petitioner/A2, who was arrested and remanded to judicial custody on 06.10.2026 for the offences punishable under Sections 20(b)(ii)(B) and 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 read with Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No. 217 of 2026 on the file of the respondent police, seeks bail.

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Order QR

2. The case of the prosecution is that based on the confession statement of A1, the petitioner (A2) was arrested and found in illegal possession of 5 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 solely based on the confession statement of the co-accused (A1). He would further submit that the contraband involved is only 5 grams of Ganja, which is a small quantity, and the petitioner has been suffering incarceration from 06.10.2026. 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 5 grams of Ganja, which is a small quantity. He would further submit that there is no previous case pending against the petitioner. However, he vehemently opposed for 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 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 06.10.2026, the stage of investigation, and the fact that the petitioner (A2) was implicated based on the confession of A1 and the contraband seized is a small quantity of 5 grams where the bar under Section 37 of the NDPS Act is not attracted, this Court is inclined

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to grant bail to the petitioner.

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) with two sureties,** each for a like sum to the satisfaction of the **learned Judicial Magistrate, Gudiyatham,** 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;

[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];**

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N.RAMESH, J.

kmm

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

18.11.2026

kmm

To

1. The Judicial Magistrate, Gudiyatham.

2. The Inspector of Police,
   Paradarami Police Station,
   Vellore District.

3. The Superintendent
   Central Prison, Vellore.

4. The Public Prosecutor, Madras High Court.

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