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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.33732 of 2026

CNR: {HCMA012764782026}

1. Akshaykumar

2. Rudramani Nag

..Petitioners

Vs

The State rep by the Inspector of Police,
Jolarpet Police Station,
Tirupathur District.
Crime No.362 of 2026

..Respondent

PRAYER: To enlarge the petitioners on bail in Crime No.362 of 2026 on the file of the Respondent Police and thus render justice.

For Petitioners : Mr.L.Ramanathan

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 06.10.2026 for the offences punishable under Sections 8(c) and 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.362 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners were found in illegal possession of 5 kgs of Ganja. Hence, the complaint.

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Order QR

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the contraband involved is only 5 kgs of Ganja, which is an intermediate quantity, and the petitioners have been suffering incarceration from 06.10.2026. Hence, he prays for grant of bail to the petitioners.

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 kgs of Ganja, which is an intermediate quantity. He would further submit that there is no previous case pending against the petitioners. However, he vehemently opposed for grant of bail to the petitioners.

5. Heard the learned counsel appearing for the petitioners 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 petitioners from 06.10.2026, the stage of investigation, and the fact that the contraband seized is an intermediate quantity of 5 kgs where the bar under Section 37 of the NDPS Act is not attracted, this Court is inclined to grant bail to the petitioners.

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7. **Accordingly, this Criminal Original Petition is allowed and** 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 2, Salem,** 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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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

kmm

To

1. The Judicial Magistrate 2, Salem.

2. The Inspector of Police,
Jolarpet Police Station,
Tirupathur District.

3. The Superintendent,
Central Prison, Salem.

4. The Public Prosecutor, Madras High Court.

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