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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.34133 of 2026

CNR: {HCMA012784402026}

1. Mohan

2. Elanchezhiyan @ Ilaya

..Petitioners

Vs

The State rep by the Inspector of Police,
Arakkonam Taluk Police Station, Ranipet District.
Cr.No.475/2026.

..Respondent

PRAYER: To release the petitioners/accused on bail, pending investigation in Cr.No.475/2026 on the file of this respondent police.

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 17.10.2026 for the alleged offences punishable under Sections 8(c) read with 20(b)(ii)(B) and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.475 of 2026, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 17.10.2026, the respondent police intercepted the petitioners along with the other accused and found them in illegal possession of 1.700 kgs of ganja for the purpose of unlawful sale.

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Order QR

Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and have been falsely implicated in this case. He would further submit that the contraband allegedly seized is 1.700 kgs of ganja, which is an intermediate quantity, and that the petitioners have been languishing in judicial custody since 17.10.2026. Hence, he prays for grant of bail to the petitioners.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioners along with the co-accused were caught red-handed in illegal possession of 1.700 kgs of ganja for the purpose of unlawful sale. He would further submit that the investigation is at a crucial stage and if the petitioners are enlarged on bail, they would tamper with the witnesses and indulge in similar offences. Hence, he vehemently opposed the grant of bail.

5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. Considering the facts and circumstances of the case, the fact that the contraband involved is 1.700 kgs of ganja which falls under intermediate quantity (not attracting the rigour of Section 37 of the NDPS Act), and also

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taking note of the period of incarceration undergone by the petitioners from 17.10.2026, this Court is inclined to grant bail to the petitioners.

7. Accordingly, 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 Court No.1, Arakkonam, Ranipet District,** 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

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Order QR

N.RAMESH, J.

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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.

20.11.2026

kmm

To

1. The Inspector of Police,
Arakkonam Taluk Police Station,
Ranipet District.

2. The Judicial Magistrate Court No.1, Arakkonam, Ranipet District.

3. The Superintendent,
Prison, Salem.

4. The Public Prosecutor,
Madras High Court.

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