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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.34155 of 2026

CNR: {HCMA012792202026}

Sashikanta Jena

..Petitioner

Vs

Case QR

The State rep by the Inspector of Police,
Madukkarai Police Station,
Coimbatore.
Crime No.445/2026.

..Respondent

PRAYER: To enlarge the petitioner on bail in Crime No.445 of 2026 pending investigation on the file of the respondent police.

For Petitioner : Mr.T.Balaji

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.10.2026 for the alleged offences punishable under Sections 8(c) read with 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.445 of 2026, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 28.10.2026, the respondent police intercepted the petitioner and found him in illegal possession of 1.150 kgs of ganja for the purpose of unlawful sale. Hence, the case.

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3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and has been falsely implicated in this case. He would further submit that the contraband allegedly seized from the petitioner is 1.150 kgs of ganja, which is an intermediate quantity, that the petitioner has no previous antecedents, and that he has been languishing in judicial custody since 28.10.2026. Hence, he prays for grant of bail to the petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner was caught red-handed in illegal possession of 1.150 kgs of ganja, and the investigation is still pending. However, he fairly conceded that there is no previous case pending against the petitioner.

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 1.150 kgs of ganja which falls under intermediate quantity (not attracting the rigour of Section 37 of the NDPS Act), the fact that the petitioner has no previous antecedents, and also taking note of the period of incarceration undergone by the petitioner from 28.10.2026, this Court is inclined to grant bail to the petitioner.

7. Accordingly, 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**

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only) with two sureties, of whom one shall be a local surety and the other shall be a relative surety, each for a like sum to the satisfaction of the **learned Additional District Judge/Presiding Officer, Special Court for Essential Commodities Act Cases, 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 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];**

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

20.11.2026

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N.RAMESH, J.

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To

1. The Inspector of Police,
Madukkarai Police Station,
Coimbatore.

2. The Additional District Judge/Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore.

3. The Superintendent,
Central Prison, Coimbatore.

4. The Public Prosecutor,
Madras High Court.

CRL.O.P.No.34155 of 2026

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