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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.34503 of 2026

CNR: {HCMA012809812026}

Mageshwaran

..Petitioner

Vs

Case QR

State Rep. by the Inspector of Police,
Paradarami Police Station,
Paradarami,
Vellore District.
Cr.No.217 of 2026.

..Respondent

PRAYER: To enlarge the petitioner on bail pending investigation in Cr.No.217 of 2026 on the file of the Inspector of Police, Paradarami Police Station, Paradarami, Vellore District.

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

ORDER

The petitioner/A3, who was arrested and remanded to judicial custody on 21.10.2026 for the offences initially registered under Sections 20(b)(ii)(A) and 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and subsequently altered into Sections 8(c), 20(b)(ii)(A), 25 and 29(1) 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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2. The case of the prosecution is that A1 and A2 were found in illegal possession of 145 grams of Ganja, and based on the confession statement of A1, the petitioner (A3) was arrested and arrayed as an accused in this case. 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 in respect of the petitioner is only a small quantity of Ganja, and that the similarly placed co-accused (A2) has already been granted bail by this Court in Crl.O.P.No.33653 of 2026 dated 18.11.2026. He would further submit that the petitioner has been suffering incarceration from 21.10.2026 and is ready to abide by any stringent conditions imposed by this Court. 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 a small quantity of Ganja. He would further confirm that the co accused (A2) was already granted bail by this Court in Crl.O.P.No.33653 of 2026 on 18.11.2026 and that there is no previous case pending against the petitioner. However, he vehemently opposed for grant of bail to the petitioner.

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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 21.10.2026, the stage of investigation, the fact that the petitioner (A3) was implicated based on the confession of A1, the contraband seized is a small quantity where the bar under Section 37 of the NDPS Act is not attracted, and also considering the fact that the co-accused (A2) has already been granted bail by this Court in Crl.O.P.No.33653 of 2026 dated 18.11.2026, 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 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;

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[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.

24.11.2026

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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.

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To

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

2. The Judicial Magistrate, Gudiyatham.

3. The Superintendent,
Central Prison, Vellore.

4. The Public Prosecutor,
Madras High Court.

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N.RAMESH, J.

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