WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.34583 of 2026

CNR: {HCMA012818172026}

Anandharaj

..Petitioner

Vs

The State rep by the Inspector of Police,
Salem Town Police Station,
Salem District.
Crime No.235 of 2026.

..Respondent

PRAYER: To order enlarge the petitioner on bail in Crime No.235 of 2026 on the file of the respondent police.

For Petitioner : Mr.C.Deepakkumar

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

ORDER

The petitioner/A4, who was arrested and remanded to judicial custody on 14.10.2026 for the alleged offences punishable under Section 8(c) read with Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 123 of the Bharatiya Nyaya Sanhita, 2023, in Crime No.235 of 2026 on the file of the respondent police, seeks bail.

https://www.mhc.tn.gov.in/judis

WEB COPY

Order QR

2. The case of the prosecution is that on 14.10.2026, the respondent police intercepted A1 to A3 and seized 2.250 kg of ganja from their possession, and based on their confession statements, the petitioner (A4) 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 statements of the co accused (A1 to A3). He would further submit that no contraband was recovered from the possession of the petitioner, and even the contraband allegedly recovered from A1 to A3 is 2.250 kg of ganja, which is an intermediate quantity where the bar under Section 37 of the NDPS Act is not attracted. He would further submit that the petitioner has been suffering incarceration from 14.10.2026 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 2.250 kg of ganja was recovered from A1 to A3 and based on their confession, the petitioner (A4) was arrested, and the investigation is almost completed. However, he vehemently opposed for grant of bail to the petitioner.

https://www.mhc.tn.gov.in/judis

WEB COPY

Order QR

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 14.10.2026, the stage of investigation, the fact that no contraband was recovered from the petitioner (A4) and he was implicated based on the confession statements of the co accused, and the contraband seized from A1 to A3 is 2.250 kg of ganja which is an intermediate quantity where the rigour of Section 37 of the NDPS Act is not attracted, 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 No.II, 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 his identity;

[b] the petitioner shall report before the respondent police daily at 10:30 A.M. until further orders;

https://www.mhc.tn.gov.in/judis

WEB COPY

Order QR

[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

kmm

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.

https://www.mhc.tn.gov.in/judis

WEB COPY

Order QR

To

1. The Inspector of Police,
Salem Town Police Station,
Salem District.

2. The Judicial Magistrate No.II, Salem.

3. The Superintendent,
Central Prison, Salem.

4. The Public Prosecutor,
Madras High Court.

https://www.mhc.tn.gov.in/judis

WEB COPY

Order QR

N.RAMESH, J.

kmm

CRL.O.P.No.34583 of 2026

24.11.2026

https://www.mhc.tn.gov.in/judis