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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.35013 of 2026

CNR: {HCMA012820482026}

Sekar

Case QR

..Petitioner

Vs

The State of Tamil Nadu
Represented by Inspector of Police,
T17-Perumbakkam Police Station, Chennai.
Crime No. 445 of 2026.

..Respondent

PRAYER: To enlarge the petitioner on bail, pending investigation in Crime No. 445 of 2026 on the file of the Respondent and thus render Justice.

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.10.2026 for the alleged offences punishable under Sections 8(c), 20(b)(ii)(A), 22(a), and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 read with Section 123 of the Bharatiya Nyaya Sanhita, 2023, in Crime No.445 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on the date of occurrence, the petitioner (A1) was found in illegal possession of 50 grams of ganja and one strip containing nine Tapentadol 100 mg tablets without any valid license or

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permit. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been arrayed as Accused No.1 and is innocent of the offences alleged against him. He contended that the contraband allegedly seized from the petitioner is only a small quantity, and that the petitioner has been languishing in judicial custody since 12.10.2026. He further submitted that the petitioner is ready to abide by any stringent conditions imposed by this Court, and therefore prayed for the grant of bail.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of bail and submitted that 50 grams of ganja and nine Tapentadol 100 mg tablets were recovered from the possession of the petitioner. He further brought to the notice of this Court that the petitioner has five previous cases pending against him, out of which two cases are under the NDPS Act, and that the investigation is still pending.

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

6. Taking into consideration the facts and circumstances of the case, the fact that the contraband involved is only of a small quantity which does not attract the statutory bar under Section 37 of the NDPS Act, and considering the period of incarceration undergone by the petitioner from 12.10.2026, this Court

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is inclined to grant bail to the petitioner despite the pendency of previous cases against him.

7. Accordingly, the petitioner is ordered to be released on bail on her 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 II Judicial Magistrate, Alandur, Chennai,** 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 her 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];**

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N.RAMESH

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

26.11.2026

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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.

To

1. The Inspector of Police,
   T17-Perumbakkam Police Station,
   Chennai.

2. The II Judicial Magistrate, Alandur, Chennai.

3. The Superintendent,
   Central Prison, Puzhal.

4. The Public Prosecutor,
   Madras High Court.

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