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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.34565 of 2026

CNR: {HCMA012823272026}

Govindan

..Petitioner

Vs

State by the Inspector of Police,
Anchetty Police Station,
Krishnagiri District.
Crime No.178 of 2026

..Respondent

PRAYER: To enlarge the petitioner on bail pending investigation in Crime No.178 of 2026 on the file of the respondent police and pass such other further orders as this Court.

For Petitioner : Mr.P.M.Jayachandran

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.10.2026 for the alleged offences initially registered under Section 8(c) read with Section 20(b)(ii)(A) of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985, and subsequently altered to Section 8(c) read with Sections 20(b)(ii)(A) and 20(a)(i) of the NDPS Act, 1985, in Crime No.178 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 18.10.2026, based on secret information, the respondent police conducted a search and found the petitioner in illegal possession of 350 grams of ganja, and also alleged that he was cultivating cannabis plants. Based on the same, a case in Crime No.178 of 2026 was registered and the petitioner was arrested and remanded to judicial custody on the very same day.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the alleged contraband seized from the petitioner is only 350 grams of ganja, which is a small quantity under the NDPS Act, and that the subsequent alteration adding Section 20(a)(i) of the NDPS Act has been made without any substantive material only to aggravate the offence. He further submitted that the petitioner has no previous cases to his credit and has been in judicial custody since 18.10.2026. Hence, he prayed for the grant of bail.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner was found in illegal possession of 350 grams of ganja and during the course of investigation, the offences were altered to include Section 20(a)(i) of the NDPS Act. However, on instructions, he fairly submitted that the petitioner has no previous cases pending against him and that the major part of the investigation is completed.

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

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6. Considering the facts and circumstances of the case, the quantity of contraband involved is 350 grams of ganja (which falls under small quantity), the fact that the rigour of Section 37 of the NDPS Act is not attracted, the petitioner has no previous cases, and also taking into account the period of incarceration suffered by the petitioner from 18.10.2026, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

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 Munsif cum Judicial Magistrate, Denkanikottai,** 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

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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,
   Anchetty Police Station,
   Krishnagiri District.

2. The Munsif cum Judicial Magistrate, Denkanikottai.

3. The Superintendent,
   Central Prison, Salem.

4. The Public Prosecutor,
   Madras High Court.

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N.RAMESH, J.

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