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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.34574 of 2026

CNR: {HCMA012828572026}

Ganeshkumar

..Petitioner

Vs

Case QR

The State rep by the Inspector of Police,
PEW - Vellore Police Station,
Vellore District.
Crime No.175 of 2026.

..Respondent

PRAYER: To enlarge the petitioner on bail in Crime No.175 of 2026 on the file of respondent police.

For Petitioner : Mr.L.Ramanathan

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

ORDER

The petitioner/A1, who was arrested and remanded to judicial custody on 17.10.2026 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, in Crime No.175 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 17.10.2026, the respondent police intercepted the petitioner (A1) along with the co-accused and seized 5 bundles of dry ganja, each weighing 2 kg, totalling 10 kg of dry ganja along

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with the bags and a Realme 11 Pro 5G mobile phone. Hence, the case.

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. He would further submit that the contraband involved in this case is 10 kg of dry ganja, which is an intermediate quantity, and therefore the statutory bar under Section 37 of the NDPS Act is not attracted. He would further submit that the petitioner has no previous cases to his credit, he has been suffering incarceration from 17.10.2026, and he 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 petitioner along with the co accused was found in illegal possession of 10 kg of dry ganja packed in 5 bundles, and the investigation is almost completed. He would further confirm that there is no previous case pending against the petitioner. However, he vehemently opposed for grant of bail to the petitioner.

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 17.10.2026, the stage of investigation, the fact that the contraband seized is 10 kg of dry ganja which is

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an intermediate quantity where the rigour of Section 37 of the NDPS Act is not attracted, and also considering the fact that the petitioner has no previous cases pending against him, 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 2, 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;

[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, J.

kmm

[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.

To

1. The Inspector of Police,
   PEW - Vellore Police Station,
   Vellore District.

2. The Judicial Magistrate 2, Salem.

3. The Superintendent,
   Central Prison, Salem.

4. The Public Prosecutor,
   Madras High Court.

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