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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.34754 of 2026

CNR: {HCMA012844512026}

Prasanna

Case QR

..Petitioner

Vs

The State rep by the Inspector of Police,
D-1 Ramanathapuram Police Station,
Coimbatore City.
Crime No.386 of 2026.

..Respondent

PRAYER: To enlarge the petitioner on bail in Crime No.386 of 2026 on the file the Inspector Police, D1 Ramanathapuram Police Station, Coimbatore District and pass such other or further orders as this Court may deems fit and proper in the facts and circumstances of case.

For Petitioner : Ms.Neelavathi P

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on **12.11.2026** for the alleged offences punishable under **Sections 8(c) read with 20(b)(ii)(A) of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985 and Section 123 of the Bharatiya Nyaya Sanhita (BNS), 2023**, in **Crime No.386 of 2026** on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on **12.11.2026**, the respondent police intercepted the petitioner and, upon search, found him in illegal possession of **300 grams of Ganja** for the purpose of illicit sale, and seized the said contraband under a cover of mahazar. Based on the same, the present case was registered against the petitioner.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case by the respondent police. He would further contend that the quantity of contraband allegedly recovered from the petitioner is only **300 grams of Ganja**, which is a small quantity, and therefore, the statutory bar under Section 37 of the NDPS Act is not attracted. He further submitted that the petitioner has been in judicial custody since 12.11.2026 and is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for the grant of bail to the petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police vehemently opposed the bail petition stating that the petitioner is a habitual offender having **six previous cases** to his credit and that the investigation is still pending. However, he fairly conceded that the contraband seized in this case is 300 grams of Ganja, which is a small quantity.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.

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6. Considering the facts and circumstances of the case, the nature and quantity of the contraband seized from the petitioner (300 grams of Ganja), which is a small quantity thereby not attracting the rigour of Section 37 of the NDPS Act, and taking note of the period of incarceration suffered by the petitioner from 12.11.2026, 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 **Additional District Judge/Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore,** and on further conditions that:

[a] the sureties shall affix his 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 twice at 10:30 A.M. and 5.30 P.M. for a period of 30 days and thereafter, as and when required for interrogation;

[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;

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[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.

25.11.2026

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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 Additional District Judge/Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore.

2. The Superintendent, Central Prison, Coimbatore.

3. The Inspector of Police, D-1 Ramanathapuram Police Station, Coimbatore City.

4. The Public Prosecutor, High Court of Madras.

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N.RAMESH, J.

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