



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 960 of 2026

1. Sradhanjali

2. Anita

Petitioner(s)

Vs

State rep. by The Inspector of Police
PEW-Erode Police Station, Erode
District. Crime No. 153/2025.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioners on bail in C.C.no.305 of 2025 on the file the court of the Additional District Judge/Presiding Officer, Special Court for Essential Commodities act cases, Coimbatore.

For Petitioner(s): Mr.J.Ranjithkumar

For Respondent(s): Mr.A. Gopinath
Government Advocate (Crl.Side)

**ORDER**

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 17.08.2025, seeking bail in Crime No.153 of 2025 registered for the offence under Sections 8(c) 20(b)(ii) (C), 25 and 29(1) of NDPS Act, 1985.

2.When the matter was taken up for hearing today, learned counsel for the petitioners submitted that the petitioners falls within the definition of child under the Juvenile Justice Act. Hence, the benefit of juvenility can be claimed at any stage and prays to consider the bail application on the ground that the petitioners are the juvenile/child at the time of registration of FIR.

3.This Court is of the view that since the petitioners raised this ground first time before this Court, and the same has not been decided earlier before the trial Court and further, enquiry is to be conducted after examining the witnesses after affording an opportunity to the learned Government Advocate (CrI.Side), the same shall be conducted only by the trial Court and at this point of time, while considering the bail application before this Court would cause prejudice to the interest of both sides. Hence, the petitioners are granted liberty to approach the trial Court and raise the point.



4. The learned counsel for the petitioner further submitted certain arguments regarding the merits of the case which has already been answered by this Court in earlier Crl Op No.26181 of 2025. Hence, this petition is dismissed with liberty to the petitioners to raise the ground of juvenility before trial Court.

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gbi



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To

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- 1.State rep. by The Inspector of Police
PEW-Erode Police Station, Erode
District. Crime No. 153/2025.
- 2.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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