
(2025) 10 MAD CK 0028

Madras HC

Case No: Criminal Original Petition No. 29159 Of 2025

Karthikeyan

APPELLANT

Vs

State

RESPONDENT

Date of Decision: Oct. 27, 2025

Acts Referred:

- Narcotic Drugs And Psychotropic Substances Act, 1985 — Section 8(c), 20(b)(ii)(B), 29(1)
- Bharatiya Nyaya Sanhita, 2023 — Section 269

Hon'ble Judges: K. Rajasekar, J

Bench: Single Bench

Advocate: M.N. Balakrishnan, A. Gopinath

Judgement

K. Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 14.09.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B) and 29(1) of NDPS Act, 1985 in Crime No.850 of 2025, registered on the file respondent police, seeks bail.

2. The case of the prosecution is that on 14.09.2025, based on a secret information, the respondent police went near Amma Park, Kurumbapalayam, Coimbatore and found that the petitioner and other accused persons were in illegal possession of 2 kilograms of ganja for the purpose of sale. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and the petitioner is in judicial custody since 14.09.2025; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and stated that there are totally six accused involved in this case and the petitioner is arrayed as A2; that the petitioner has no previous antecedents; that the co-accused/ A5 and A6 are still absconding; and that the investigation of this case is pending.

5. Considering the facts and circumstances of the case, the quantity of contraband involved, the petitioner has no previous antecedents and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 Court-IV, Coimbatore 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 their identity;

[b] the petitioner shall report before the respondent police daily at 10:30 a.m., for a period of three weeks and thereafter, as and when required for interrogation by the respondent police;

[c] 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];

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