



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 29.06.2026**

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**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CRL OP No. 13057 of 2026**

Aanuraj

..Petitioner(s)/ Accused 2

Vs

The State Rep. By,  
The Inspector of Police,  
Prohibition Enforcement Wing Police Station,  
(PEW Salem City).

..Respondent(s)

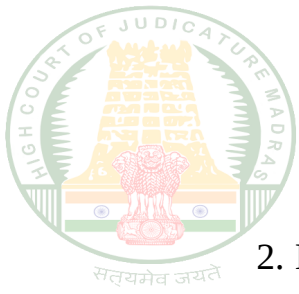
**Prayer:** Criminal Original Petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on bail in Crime No.93 of 2025 on the file of the respondent police.

For Petitioner(s): M/s.R.Nalliyappan

For Respondent(s): Mr.S.Yogaraja Sekar  
Counsel for Government of Tamil Nadu  
(Criminal Side)

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 07.03.2025 for the alleged offences under Section 8(c) read with 20(b)(ii)(C) and 29(1) of NDPS Act, 1985 in Crime Number.93 of 2025 on the file of the respondent, seeks bail.



2. It is the case of the prosecution that the petitioner, along with the other accused, was found in illegal possession of 33.990 kilograms of ganja. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the petitioner has been in judicial custody since 27.05.2026. The learned counsel also submits that there are totally three accused in the case and that Accused No.3, Hamid Gafur, has been granted bail by the Hon'ble Supreme Court of India in SLP (Criminal) Diary No.7638 of 2026 dated 20.04.2026. It is further stated that the said order of bail was granted on the basis of a common order passed by this Court on 31.10.2025, which also covered the present petitioner. Hence, the learned counsel prays for grant of bail to the petitioner on the ground of parity.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the case of the prosecution and opposed the grant of bail on the ground that the contraband seized is of commercial quantity. However, the learned Government Advocate (Criminal Side) fairly conceded that in the earlier applications filed before this Court in Crl.O.P. Nos. 26090 & 14632 of 2025, a common order was passed on 31.10.2025, and that one of the



petitioners, namely Hamid Gafur, preferred an SLP before the Hon'ble Supreme Court of India, wherein the same was allowed.

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5. Though the learned Government Advocate (Criminal Side) opposed the bail application, he was not in a position to state as to how the petitioner could be denied parity with the other accused. In view of the factual position and considering that the petitioner stands on the same footing as that of Accused No.3, this Court is inclined to extend the benefit of parity to the petitioner. Hence, this court is inclined to enlarge the petitioner on bail, subject to certain

6. Accordingly, the petitioner is ordered to be released on bail on 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 Special Court for Essential Commodities Act and NDPS Court, Salem, and subject to the following conditions:

[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 appear before the Investigating Officer (for short "I.O") on 15<sup>th</sup> of every calendar month till conclusion of the trial. The petitioner shall also appear



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before the jurisdictional trial Court on all dates of hearing.

[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 take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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Index: Yes/No

Speaking/Non-speaking order

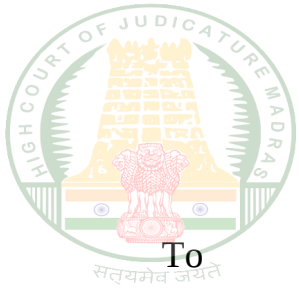
Neutral Citation: Yes/No

dpa

**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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- 1.The Special Court for Essential Commodities Act and NDPS Court, Salem.
- 2.The Superintendent, Central Jail, Salem.
- 3.The Inspector of Police, Prohibition Enforcement Wing Police Station, (PEW Salem City).
- 4.The Public Prosecutor, High Court of Madras, Chennai.



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**C.KUMARAPPAN, J.**

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