

Shadev Kunwar Vs State represente by

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Court : Chennai

Decided On : Feb-13-2026

Judge : Honourable Mr.Justice K.Rajasekar

Appeal No. : CRL OP/3346/2026

Appellant : Shadev Kunwar

Respondent : State represente by

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR CRL OP NO.3346 of 2026 Shahdev Kunwar ... Petitioner/ Accused Vs The State rep. by, The Inspector of Police, Bazaar Police Station, Coimbatore District. (Crime No.29 of 2026) ... Respondent PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in Crime No.29 of 2026 on the file of the respondent police. For Petitioner(s) : Mr. M.N. Balakrishnan For Respondent(s) : Mr. A. Gopinath Government Advocate (Crl. Side) *****

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.01.2026 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B) and 29(1) of NDPS Act, 1985 in Crime No.29 of 2026, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 21.01.2026 based on a

specific information, the respondent went near Mutpudhar, Ukkadam to Perur Bypass road and intercepted the petitioner herein along with other accused; that after complying all the mandatory provisions under the NDPS Act, search and seizure was conducted, thereby it is found that the petitioner and other accused were in joint possession of 1.200 kilograms of Ganja for the purpose of illegal sale. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that

the petitioner has been falsely implicated in this case and he is in judicial custody since 21.01.2026; that the alleged contraband seized in this case falls under the definition of intermediate quantity; 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 three accused involved in this case and A3 is still absconding, the contraband seized in this case is an intermediate quantity; that the petitioner has two previous cases of similar offence; and that the investigation of this case is pending.

5. Considering the submissions made, facts and circumstances of

the case, the quantity of contraband involved in this case is an intermediate quantity and the period of incarceration undergone by the petitioner herein, 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 Additional District Judge/ Presiding Officer, Special Court for EC Act Cases, 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;

[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. 13.02.2026 stn 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 Additional District Judge/ Presiding Officer, Special Court for EC Act Cases, Coimbatore.
2. The Inspector of Police, Bazaar Police Station, Coimbatore District. (Crime No.29 of 2026)
3. The Superintendent, Central Prison, Coimbatore.
4. The Public Prosecutor, High Court of Madras.

K. RAJASEKAR, J.

stn CrI.O.P. No.3346 of 2026 13.02.2026

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