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CrI.O.P.No. 521 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 521 of 2025

1. Kaja @ Kajapathi
2. Rajasekar
- 3, Vinoth

Petitioners

Vs

The Inspector of Police
H-8, Thiruvotttiyur Police Station,
Chennai
Crime NO. 1502/2024

Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on bail, in connection with **Crime No.1502 of 2024**, pending investigation on the file of the respondent Police.

For Petitioners : Mr.D.Jaisankar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI.Side)

ORDER

Petition seeking bail in respect of **Crime No.1502 of 2024** registered for the offences punishable under Sections **8(C) r/w 20(b)(ii)(B), 29(1) and 25 of NDPS Act** is on board for consideration.



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2. The incarceration of the petitioners being from **26.11.2024** pleading innocence on the part of the petitioners and false implication in the case, the learned counsel for the petitioners seeks indulgence of this Court. He further submits that they are innocent persons and they have falsely implicated in this case. He also submits that the petitioners, without prejudice to the defence and contention, are ready and willing to deposit a sum of **Rs.10,000/- each** to any welfare scheme of the Government or any other organization. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that on 25.11.2024, the petitioners along with other accused were found in possession of 2.400 kgs. of ganja. He further submits that the petitioners are arrayed as A1 to A3 and 7 previous cases pending against the 1st petitioner, 5 previous cases pending against the 2nd petitioner and one previous case pending against the 3rd petitioner.

4. Considering the voluntary submission made by the learned counsel for the petitioners, the **petitioners** are directed to deposit a sum of **Rs.10,000/-**



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(Rupees ten thousand only) each to the credit of the " **Little Drops - Public Charitable Trust, Account no – 05811010002400 IFSC - PUNB0058110 Punjab National Bank, Moulivakkam, Chennai. Mobile - 9176623342**" without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

5. Further, having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant bail to the petitioners/ with certain conditions and accordingly, the petitioners are ordered to be released on bail on their executing separate bond each for a sum of **Rs.15,000/- (Rupees fifteen thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Principal Special Court under NDPS Act at Chennai** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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[b] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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)AIR SCW 5560]***;

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

09.01.2025

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To

1. The Principal Special Court under NDPS Act at Chennai.
2. The Inspector of Police, H-8 Thiruvottiur Police Station, Chennai.
3. The Superintendent, Central Prison, Puzhal.
4. The Public Prosecutor, High Court of Madras.



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A.D.JAGADISH CHANDIRA,J.

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