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Crl.O.P.No.16758 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16758 of 2025

Mr.Imrankhan

... Petitioner

Vs.

The State represented by
Inspector of Police,
E-3, Teynampet Police Station,
Chennai.

(Crime No.1139 of 2018)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in
connection C.C.No.5 of 2020 on the file of the Hon'ble Principal Special
Court under EC and NDPS Court, Chennai.

For Petitioner : M/s.G.Mageshwari

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
25.04.2025, for the offence punishable under Sections 8(c) r/w 20(b)(ii)(B)
of the NDPS Act in Crime No.1139 of 2018, registered on the file of the



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respondent, seeks bail.

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2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in P.R.C.No.29 of 2022 on the file of the Judicial Magistrate No.II, Nagapattinam. He further submitted that since the petitioner was met with an accident, he was unable to appear before the trial Court, and he was issued with the non-bailable warrant on 03.01.2024 and pursuant to the same, he was arrested on 25.04.2025. He also submitted that the petitioner will undertake that hereafter he will regularly appear before the trial court on all hearing dates and also stated that he is prepared to comply with any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that since the petitioner, facing trial in C.C.No.5 of 2020 on the file of the Principal Special Court under EC and NDPS Court, Chennai, has failed to appear before the trial Court, the trial Court has issued a NBW against the petitioner on 03.01.2024 and based on which, petitioner was remanded to judicial custody on 25.04.2025. Hence, he oppose for grant of bail to the petitioner.



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4. Heard both sides and perused the materials available on record.

5. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side, 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.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Principal Special Court under EC and NDPS Court, Chennai** 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 Trial Court on all hearing dates without fail;



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[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] 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]**;

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

13.06.2025

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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



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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 Principal Special Court under EC and NDPS Court,
Chennai.
- 2.The Inspector of Police,
E-3, Teynampet Police Station,
Chennai.
- 3.The Puzhal Prison.
- 4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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