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Crl.O.P.No.19364 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19364 of 2025

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... Petitioner

Vs.

State Rep. by
The Inspector of Police,
Chengam Police Station,
Chengam Taluk
Tiruvannamalai District.
(Cr.No.199 of 2025)

... Respondent

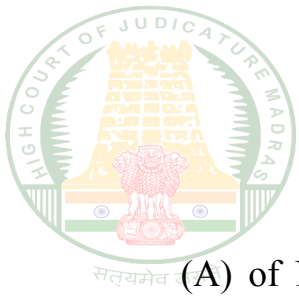
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in respect of Crime No.199 of 2025 pending on the file of the Chengam Police Station, Tiruvannamalai.

For Petitioner : Mr.S.Prabhu

For Respondent : Mr.R.Vinoth Raja
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.05.2025, for the offence punishable under Sections 20(a) (i) 20 (b) (ii)



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(A) of NDPS Act in Crime No.199 of 2025, registered on the file of the respondent, seeks bail.

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2. The case of the prosecution is that the petitioner has been found to be in possession of Ganja plants measuring of about 10 cms, who is in incarceration for more than a month. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner was arrested by the respondent police on 30.05.2025, who was found in possession of Ganja plants of about 10 cms weighing approximately 20 grams, which constitutes a small quantity under NDPS Act. Though it is a bailable offence, the respondent police proceeded to arrest the petitioner. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police, fairly submitted that the petitioner was found in possession of two Ganja plants measuring about 10 cms weighing around 20



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grams which is within the small quantity.

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

6. 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.

7. 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 Judicial Magistrate, Chengam 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 the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of thirty (30) days and thereafter as and when required for interrogation**



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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.

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.



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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 Judicial Magistrate,
Uthangarai.
- 2.The Inspector of Police,
Kallavi Police Station,
Krishnagiri District.
3. Central Prison, Salem
- 4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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