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Crl.O.P.No.22118 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.22118 of 2025

Ezhilarasan @ Ezhil

... Petitioner

Vs.

State Rep. by:

The Inspector of Police,
K-6, TP Chathiram Police Station,
Chennai.

(Crime No.17 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in C.C.No.368 of 2025 on the file of the I Additional, Special Court NDPS & EC Act, Chennai.

For Petitioner : Mr.A.Elumalai

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.01.2025, for the offence punishable under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act, 1985 in Crime No.17 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 was found in possession of 2.100 kgs of ganja. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner was in possession of 2.100 kgs of ganja and so far trial has not been commenced. Hence, he prays bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police opposed for grant of bail to the petitioner on the ground that the petitioner is having 12 previous cases and most of the cases are related to NDPS offence. He further submitted that the investigation has been completed and the final report was also filed and taken on file in C.C.No.368 of 2025.

4. Considering the period of incarceration already undergone by the petitioner for the alleged possession of 2.100 kgs of ganja, this Court is inclined to grant bail to the petitioner, subject to certain conditions.



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5. 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 **I Additional, Special Court for NDPS & EC Act, 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 I Additional, Special Court for NDPS & EC Act, Chennai, on every Monday at 10.30 a.m., until further orders;**

[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]**;



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[d] If the accused thereafter absconds, a fresh

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FIR can be registered under Section 269 of B.N.S.

02.09.2025

drl

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 I Additional, Special Court for NDPS & EC Act,
Chennai.
- 2.The Inspector of Police,
K-6, TP Chathiram Police Station,
Chennai.
- 3.The Superintendent,
Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

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Dr.G.JAYACHANDRAN, J.

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