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Crl.O.P.No.23888 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2025

CORAM

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

Crl.O.P.No.23888 of 2025

Ajith Kumar @ Pongu Ajith

... Petitioner

Vs.

State Rep. by:

The Inspector of Police,
H-3, Tondiarpet Police Station,
Chennai.

(Crime No.430 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.430 of 2025 on the file of H-3, Tondiarpet Police Station, Chennai, the respondent herein in the above case.

For Petitioner : Mr.K.Veera

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl. Side)



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ORDER

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The petitioner, who was arrested and remanded to judicial custody on 21.06.2025, for the offence punishable under Sections 8(C), 20(b)(ii)(B), 29(1) of NDPS Act, 1985 in Crime No.430 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that on 21.06.2025, based on secret information, a search was conducted near Tondiarpet Kailasa Street Housing Board backside, during which two persons were apprehended and 2 kg of ganja was seized from them. This petitioner has been arrayed as A2, while the 1st accused is one Yuvaraj @ Kaisaman Yuvaraj. Hence, the present complaint.

3. Learned counsel for the petitioner submitted that this petitioner was arrested on 21.06.2025. The final report has been filed on completion of investigation. The recovery of 2 kg of ganja was from A1 and, even according to the FIR, the petitioner was only found standing along with A1, with no incriminating material recovered from him.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed the grant of bail to the petitioner and submitted that the petitioner has six previous cases, out of which three cases are under NDPS Act. He further submitted that final report has been filed within the statutory period and, therefore, the petition for anticipatory bail is liable to be dismissed.

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

6. Considering the fact that no contraband was recovered from the petitioner and that the first accused, from whom the contraband was seized, has already been released on bail, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. 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 **XV Metropolitan Magistrate Court, George Town** and on



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सत्यमेव जयते further conditions that:

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[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 Principal Special Court under EC & NDPS Act, Chennai - 104 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]**;

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

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cda



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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 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 XV Metropolitan Magistrate Court, George Town.
- 2.The Inspector of Police,
H-3, Tondiarpet Police Station,
Chennai.
- 3.The Central Puzhal Prison-II,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

cda

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