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Crl.OP.No.25052 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2025

CORAM

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

Crl.O.P.No.25052 of 2025

Bharath

... Petitioner

Vs.

State Rep by
The Inspector of Police,
Sriperumpudur Police Station,
Kancheepuram District.
(Cr.No.445 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending
investigation in connection with Cr.No.445 of 2025 on the file of the
respondent police.

For Petitioner : Mr.A.J.Magendiraverman

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

ORDER

The petition for bail for the offence punishable under Section 8(c),
20(b)(ii)(B) and 29(1) of N.D.P.SAct, in Crime No.445 of 2025, registered
on the file of the respondent police.

2. The petitioner herein arrested on 03.08.2025 for the alleged



possession of 1 kg and 300 grams of ganja.

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3.The learned counsel appearing for the petitioner states that the petitioner is an innocent person and he is not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. 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. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is having two previous cases, however not under NDPS Act cases. Hence, he opposed to grant of bail to the petitioner.

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

6. Considering the fact that the petitioner is in prison for 42 days and



the ganja seized is little above the small quantity, 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Sriperumpudur** 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 respondent police daily at 10.30a.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



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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.

15.09.2025

Vv

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 Judicial Magistrate, Sriperumpudur
2. The Inspector of Police,
Sriperumpudur Police Station,
Kancheepuram District.
3. The Central Prison-II, Puzhal.
- 4.The Public Prosecutor,
High Court of Madras.

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Dr.G.JAYACHANDRAN, J.

Vv

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