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Crl.OP.No.25090 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2025

CORAM

THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

Crl.O.P.No.25090 of 2025

Rajesh Sah

... Petitioner

Vs.

State rep by
The Inspector of Police,
Bargur Police Station,
Krishnagiri District.

... Respondent

(Cr.No.375 of 2025)

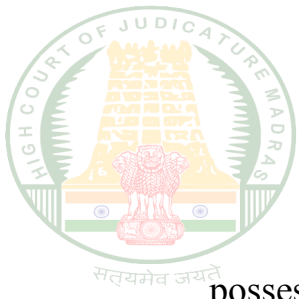
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in Crime No.375 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.P.M.Jayachandran

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

ORDER

The petitioner herein was arrested on 01.08.2025 in connection with Crime No.375 of 2025 for the alleged offence under Section 8(c) r/w Section 20(b)(ii)(B) of NDPS Act, 1985.



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2.The case of the prosecution is that the petitioner was found in illegal possession of 5 Kgs of Ganja. Hence the case.

3.The learned counsel appearing for the petitioner states that the petitioner is an innocent person and he has 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 to grant bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and submitted that there are no previous cases pending as against the petitioner. However, he opposed to grant bail to the petitioner.

5.Considering the fact that the petitioner is not having any previous case and considering the period of incarceration suffered by the petitioner and the seized contraband is also an intermediate quantity, this Court is inclined to grant bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail on 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 **Additional District Judge / Presiding Officer, Special Court for Essential Commodities Act Cases, Salem**, 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 10.30 a.m., for a period of four weeks and thereafter, as and when required for the interrogation;**

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

23.09.2025

smv

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 Additional District Judge / Presiding Officer,
Special Court for Essential Commodities Act Cases, Salem

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2. The Inspector of Police,
Bargur Police Station,
Krishnagiri District.

3. The Central Prison, Salem.

4. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

smv



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