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Crl.O.P.No.26657 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.26657 of 2025

1.Ajay Rout

2.Dilip Kumar Sethi

... Petitioners

Vs.

The State Rep. by
The Inspector of Police,
PEW Thiruchengodu Police Station
Namakkal District.
(Crime No.249 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail pending
investigation in Crime No.249 of 2025 on the file of the respondent police.

For Petitioner : Mr.C.Deepakkumar

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



ORDER

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The petitioners, who were arrested and remanded to judicial custody on **13.08.2025** for the alleged offences punishable under Sections **8(c), 20(b)(ii)(B) and 29(2)(a) of NDPS Act, in Crime No.249 of 2025** on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners were found in illegal possession of 4.106 kgms of Ganja. Hence, the case.

3.The learned counsel appearing for the petitioners submits that the petitioners are innocent person and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for their release. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police, reiterated the prosecution case and submitted that the petitioners are having no previous case against them. Hence, he strongly



opposed grant of bail to the petitioners.

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

6. Considering the facts and circumstances of the case, the period of incarceration undergone by the petitioners and the petitioners have no antecedents, this Court is inclined to grant bail to the petitioners with certain conditions;

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) each**, with **two sureties**, for a like sum to the satisfaction of the **learned Special Court for EC and NDPS Act, 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;



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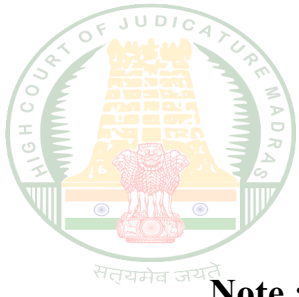
[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[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]**;

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

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Note :
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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 Special Court for EC and NDPS Act, Salem.

2.The Inspector of Police,
PEW Thiruchengodu Police Station
Namakkal District.
(Crime No.249 of 2025)

3.The Superintendent,
Central Prison, Salem.

4.The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

dna

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