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Crl.O.P.No.26023 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-09-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.26023 of 2025

Lakeshwarnath

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
F-3 Nungambakkam Police Station,
Chennai.
(Crime No.661 of 2021)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in C.C.No.210 of 2022 on the file of the Hon'ble I Additional Special Court for NDPS Act, Chennai.

For Petitioner(s) : Mr. D. Senthil

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.08.2025 based on execution of NBW dated 18.11.2024 in C.C.No.210 of 2022 on the file of the Hon'ble I Additional Special Court for NDPS Act, Chennai, registered for the offences punishable under Sections 8(c), 20(b)(ii)(B), 25 and 29(1) of NDPS Act in Crime No.661 of 2021 on the file of the respondent police, seeks bail.

2. The learned counsel appearing for the petitioner submitted that originally the petitioner was arrested and released on bail and was regularly appearing before the Trial Court for the case in C.C.No.210 of 2022 and since the petitioner has shifted his residence, he was not able to receive the summons and therefore he could not able to appear before the Trial Court; that subsequently, a NBW was issued as against the petitioner on 18.11.2024 and the petitioner was arrested on 26.08.2025. He further submitted that the petitioner is under custody for more than one year and the petitioner is also ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.



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3. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner submitted that the petitioner had not appeared before the Trial Court after issuing of summons; that thereby he was arrested based on execution of NBW issued by the Trial Court. He also submitted that the petitioner is hailing from Assam and there is every possibility of further abscondence of the petitioner and the trial is pending.

4. The fact that the petitioner is under custody from 26.08.2025 and the trial is pending, hence considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties each** for a like sum to the satisfaction of the learned **I Additional Special Court for NDPS 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



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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 appear before the Trial Court concerned on every Monday at 10:30 a.m., until further orders and on all hearing dates without fail;

[c] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall make himself available for interrogation by a Police officer as and when required;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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**



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

22.09.2025

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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 I Additional Special Judge,
I Additional Special Court for Exclusive Trial of Cases
under NDPS Act, Chennai.
2. The Inspector of Police,
F-3 Nungambakkam Police Station,
Chennai.
(Crime No.661 of 2021)

K. RAJASEKAR, J.

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3. The Superintendent,
Central Prison, Puzhal, Chennai.

4. The Public Prosecutor,
High Court of Madras.

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