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Crl.O.P.No.26559 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06-10-2025**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.26559 of 2025

Syedali Rahuman

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Kodavasal Police Station,
Thiruvarur District.
(Crime No.213 of 2025)

... 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.134 of 2025 on the file of the District Munsif-cum-Judicial Magistrate, Kodavasal.

For Petitioner(s) : Mr. K. Shivakumar

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 29.07.2025 for the offences punishable under Section 8(c), 20(b)(ii)(B) of the NDPS Act, 1985 in Crime No.213 of 2025, registered on the file respondent police and subsequently, the respondent filed final report for the offence under Sections 8(c), 20(b)(ii)(A) of NDPS Act and Section 77 of Juvenile Justice Act, 2015 in C.C.No.134 of 2025 on the file of the District Munsif-cum-Judicial Magistrate, Kodavasal, seeks bail.

2. The case of the prosecution is that, based on a secret information, the respondent police went to the spot and found that accused persons were involved in illegal sales of ganja; that upon investigation, they confessed that the petitioner was also involved in the offence and further 1.200 kilograms of ganja was procured by them and they had sold 1.100 kilograms of ganja. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated and he is in custody since 29.07.2025. He also submitted that the respondent had completed



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investigation and filed final report in this case 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.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and stated that there are totally four accused and the petitioner is arrayed as A4 in this case. He further submitted that the petitioner has three previous cases under COTPA Act; and that investigation has been completed and final report filed in C.C.No.134 of 2025 on the file of the District Munsif-cum-Judicial Magistrate, Kodavasal.

5. Considering the facts of the case, the petitioner has previous cases under COTPA and no case under NDPS Act, the quantity of contraband involved in this case and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 District Munsif-cum-Judicial Magistrate, Kodavasal** 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 Trial Court concerned daily at 10:30 a.m., for a period of three weeks and thereafter, on all the hearing dates without fail;

[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.

06.10.2025

stn

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 District Munsif-cum-Judicial Magistrate,
Kodavasal.
2. The Inspector of Police,
Kodavasal Police Station,
Thiruvarur District.
(Crime No.213 of 2025)
3. The Superintendent,
Sub Jail, Nagapattinam.
4. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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