



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25.10.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.28522 of 2025

Pachi @ Baskar

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
K8, Arumbakkam Police Station,
Chennai-106.
(Crime No.267 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleased to enlarge the petitioner on bail in connection with which is now pending in C.C.No.651 of 2025 on the file of the I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai in Crime No.267 of 2025.

For Petitioner : Mr.R.Raja for

Mr.J.Manikandan

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

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 06.05.2025, for the alleged offence punishable under Sections 8(c), 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances, Act, 1985 in Crime No.267 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that he was found in possession of 2 kilo and 150 grams of Ganja. Hence the case.

3. Learned counsel appearing for the petitioner submitted that since the petitioner herein was involved in some IPC offences, for the purpose of detaining him in jail, this false complaint has been lodged. He further submitted that the some previous cases cited are NDPS cases and in one such case, he has already been acquitted and out of two cases, one case is present case and in other case, no FIR is available and that the petitioner has never been arrested or even now no steps have been taken to detain the petitioner in other cases. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reported that the petitioner is having bad antecedents of 30 previous cases; out of which 3 cases are under NDPS Act. Hence, he opposed for grant of bail to the petitioner.



5. Heard both sides and perused the materials available on record including the First Information Report.

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6. I have gone through the list of cases. It shows that the petitioner is having bad antecedents. However, the petitioner is in custody from 06.05.2025; almost five months he has been incarcerated in this case and the investigation is completed and final report is filed and the quantity involved in this case is only intermediate quantity. Considering the submissions of the learned counsel for the petitioner that only one case is pending and in which no remand of the petitioner was effected so far even though he is in custody for the past five months, I am inclined to grant bail to the petitioner, subject to 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 Principal Special Court under the NDPS Act, Chennai*, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



[b] the petitioner shall stay at Erode and report

before the Erode Town (Bazaar) police station daily at 10.30

a.m., for a period of two months.

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

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];

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

25.10.2025

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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 Principal Special Court under the NDPS Act, Chennai.
- 2.The Inspector of Police,
K8, Arumbakkam Police Station,
Chennai-106.
- 3.The Superintendent of Police,
Central Prison, Puzhal.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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