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CrI.O.P.No.3080



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

CrI.O.P.No.30802 of 2025

Jaikumar @ Pathupaisa

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
SivaKanchi Police Station,
Kancheepuram District.
(Crime No.328 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Crime No.328 of 2025 pending on the file of the respondent.

For Petitioner : Mr.P.Muthamizhselvakumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.09.2025, for the alleged offence punishable under Sections 8(c), 20(b)(ii)(B) of NDPS Act 1985, in Crime No.328 of 2025, on the file of the respondent



police, seeks bail.

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2. The case of the prosecution is that the petitioner was found in possession of 1.5 kgs of Ganja. Hence, on prior information, he was arrested and has been in custody from 29.09.2025.

3. Learned counsel appearing for the petitioner submitted that the petitioner was found in possession of 1.5 kgs of Ganja. For statistical purposes, he has been added as an accused in this case and he has been in custody from 29.09.2025. Though it has been stated that the petitioner has some previous cases, only one NDPS case is registered against him, and that too has been registered for statistical purpose. 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 has 8 previous cases, out of which 6 are robbery cases and one is NDPS case. He further submitted that if petitioner is granted bail, he will indulge in similar activities. Hence, he opposed for grant of bail to the petitioner.



5. I have also gone through the FIR and other materials, which revealed that the contraband seized is 1.5 kgs of Ganja, which is more than the small quantity, and also considering the fact that the petitioner has been in custody from 29.09.2025, I am inclined to grant bail to the petitioner, subject to 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 Judicial Magistrate-I, Kanchipuram*, 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 report before the trial Court daily at 10.30 a.m., for a period of four weeks and thereafter as when required for interrogation;

[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

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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.

11.11.2025

mpa

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

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1.The Judicial Magistrate-I, Kanchipuram.

2.The Inspector of Police,
SivaKanchi Police Station,
Kancheepuram District.

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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