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Crl.OP.No.33178 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.33178 of 2025

Selvakumar

... Petitioner

Vs.

State Rep by
The Inspector of Police,
C-1, Sriperumbudur Police Station,
Kancheepuram District.
(Crime No.25 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No.25 of 2024 on the file of the respondent police.

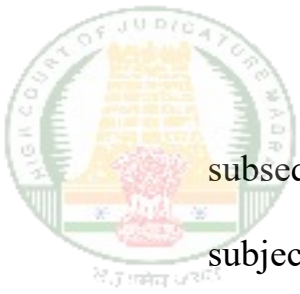
For Petitioner : Mr.A.Saranraj

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.10.2024 for the offence punishable under Section 8(c) r/w 20(b)(ii)(B) of the NDPS Act, in Crime No.25 of 2024, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that he was involved in possession of 2.150 kgs of ganja. Earlier, the petitioner was arrested and



subsequently released on bail in March 2024 by order dated 15.03.2024, subject to certain conditions, that he should appear before the respondent police daily at 10.00 a.m., until further orders. Since the petitioner failed to comply with the said condition, the respondent police moved an application for cancellation of bail, and accordingly bail was cancelled by order dated 22.08.2024 in Crl.OP.No.18231 of 2024. Thereafter, the petitioner was arrested by the respondent police on 05.07.2024 and has been in judicial custody.

3. Learned counsel appearing for the petitioner submitted that this is the first bail application filed by the petitioner in the present case. He further submitted that the petitioner was not released from prison earlier due to his involvement in another case. In the meantime, he was produced under a P.T. warrant in the present case and remanded on 05.7.2024. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that the petitioner had bad antecedents including three murder cases. Hence, he opposed for grant of bail to the petitioner.

5. On perusal of the FIR and other connected materials, it is seen that though bail was granted to the petitioner in March 2024, the same was



cancelled in August 2024 due to non-compliance with the conditions imposed. It is now stated that the petitioner was in judicial custody during the relevant point of time and therefore, he was not able to comply with the said condition. It is also seen that there are totally 5 accused in this case and all have been produced before the concerned Court. It is also stated that the petitioner has also filed vakalat and is duly represented by counsel.

6. Considering the above facts and circumstances of the case and also the submissions of the learned counsel on either side, the period of his incarceration and also the fact that the petitioner is already granted bail, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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, for a like sum to the satisfaction of the *learned Principal Special Court under EC & 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 report before the



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concerned Court daily at 10.30 a.m., for a period of four weeks and thereafter as and 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 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.

16.12.2025

drl



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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 EC & NDPS Act, Chennai.
- 2.The Inspector of Police,
C-1, Sriperumbudur Police Station,
Kancheepuram District.
- 3.The Superintendent,
Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

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