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CRL OP No. 35576 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35576 of 2025

Ajith @ Abith
S/O. Senthil,
No.18, Anbu Nagar, 1st Street,
Thiruverkadu, Chennai.

Petitioner(s)

Vs

State Rep By, Inspector Of Police,
T5, Thiruverkadu Police Station,
Chennai.
Crime No. 781/2025.

Respondent(s)

PRAYER:- The Criminal Original Petition is filed under Section 483 of B.N.S.S., praying to enlarge the petitioner on bail in connection with the crime no.781 of 25 on the file of the respondent police.

For Petitioner(s): Mr.D.Padmanabhan

For Respondent(s): Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner / Accused-1, who was arrested and remanded to judicial custody on 14.11.2024 for the offences punishable under Sections 8(c), 20(b)(ii) (B), 29(1) of NDPS Act, 1985 in Crime No.781 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that on 14.11.2025, the respondent Police based on the secret information received by them, went to the scene of occurrence and found that the petitioner along with other accused were in possession of 1.400 kgs of Ganja. Hence the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case against the petitioner for the offences punishable under 8(c), 20(b)(ii)(B), 29(1) of NDPS Act, 1985 and he was arrested and remanded to judicial custody on 14.11.2025. According to the prosecution, the petitioner had indulged in the act of selling contraband. Infact, the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. Therefore prayed to grant bail to the petitioner.

4. The learned Government Advocate would submit that on 14.11.2025, the respondent Police based on the secret information received by them, went to the scene of occurrence and found that the petitioner along with other accused were in possession of 1.400 kgs of Ganja. Therefore, the respondent Police arrested the petitioner and other accused. This petitioner is A1 and he has 11 other previous cases, in which two cases were filed under NDPS Act. Hence, he strongly opposed to grant bail to the petitioner.



5. Heard both sides and perused the materials available on record.

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6. Considering the rival submissions made on either side, considering the fact that the contraband involved in this case is not commercial quantity and though the petitioner has some previous cases, all the cases are not similar in nature in all cases bail was granted and also the number of days incarcerated by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned **XVI Metropolitan Magistrate, George Town** and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;



[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

26-12-2025

rst

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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 official website of this Court will be watermarked and will also have a QR code.



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To:-

- 1.XVI Metropolitan Magistrate,
George Town.
- 2.The Inspector Of Police,
T5, Thiruverkadu Police Station,
Chennai.
- 3.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL J.

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