



WEB COPY

CRL OP No. 2985 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2985 of 2026

Bijay Kumar Khilla
S/o.Laxmana Khilla,
Knikarai pada,
Gunthawada post,
Chirakonda Taluk,Malkangiri District,
Odisha State.

..Petitioner(s)

Vs

The State of Tamil Nadu,
Rep.By Inspector of police,
ARCOT TOWN Police Station,
Ranipet District
(Crime No.213 of 2025)

..Respondent(s)

PRAYER:Criminal Original Petition filed under Section 483 of BNSS Act, 2023, to enlarge the petitioner on bail in SPL.CC.NO.305 of 2025 on the file of the E.C.NDPS Court Session Judge Salem and thus render justice.

For Petitioner(s):

Rashidhunnishaa R.

For Respondent(s):

Mr.A.Gopinath

Government Advocate(Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.05.2025, for the alleged offence punishable under Sections 8(c) r/w. 20(b)(ii) (c), 25 of NDPS Act in Crime No.213 of 2025 on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that the petitioner herein was involved in transportation and possession of 101 kgs of ganja and he was intercepted on prior information on 01.05.2025 near Arkadu Cheyyar Road, Junction at about 15.40 hours, after complying mandatory provisions ganja was seized and the petitioner was arrested.

3. The learned counsel for the petitioner submitted that the petitioner herein has filed petition seeking default bail before the Trial Court on 03.11.2025 and it was returned and represented on 11.11.2025 and the same was dismissed on 18.11.2025 and without properly verifying e-filing records, the final report is filed on 180th day, only after filing of the default bail petition by the petitioner on 03.11.2025. The trial Court committed error in returning the petition and though it was represented the final report was only subsequently filed and thereby the petitioner's right has not been extinguished and rejection of bail under section 167(2) is not proper. Hence, prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submitted that the final report in this case was filed as early as on 25.10.2025, prior to filing of the bail petition under section 167(2) by the petitioner herein, hence, order passed by the Trial Court dismissing the default bail petition filed by the petitioner is proper. Hence, opposed to grant bail to the petitioner.



5. This Court also received the report from the concerned Trial Court and the report states that the final report in this case was filed by e-filing as early as on 25.10.2025 at about 17.57 hours and copy application is also verified in this regard. The records shows that list of uploaded documents with the dates and time on which it was uploaded. These documents also contains the acknowledgement and e-filing page of the concerned Court.

6. In view of the same, contention raised by the petitioner that the petitioner is entitled for default bail is liable to be rejected. Accordingly, this Criminal Original Petition is dismissed.

25-02-2026

MPA

To
The State of Tamil Nadu,
Rep.By Inspector of police,
ARCOT TOWN Police Station,
Ranipet District
(Crime No.213 of 2025)

2.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

MPA

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