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Crl.O.P.No.4645 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

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THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.4645 of 2026

Nagaraj @ Pambu Nagaraj

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
M-5, Ennore Police Station,
Chennai.
(Crime No.669 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in C.C.No.886 of 2024 on the file of the learned Principal Special Court under EC & NDPS Act at Chennai.

For Petitioner(s) : Mr. M. Illiyas

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

ORDER



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The petitioner, who was arrested and remanded to judicial custody on 21.08.2024 for the offences punishable under Sections 8(c) and 20(b)(ii)(B) of NDPS Act, 1985 in C.C.No.886 of 2024 on the file of the learned Principal Special Court under EC & NDPS Act at Chennai, seeks bail. The earlier bail applications of the petitioner herein were dismissed by this Court, vide orders dated 23.06.2025 and 16.09.2025 in Crl.O.P.Nos.17981 and 25352 of 2025, respectively.

2. The allegation against the petitioner herein is that, he was found in illegal possession of 1.200 kilograms of Ganja. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the alleged contraband seized in this case falls under the definition of intermediate quantity; that the earlier bail applications of the petitioner herein were dismissed on the ground that the petitioner is having previous antecedents. He further submitted that all the previous cases against the petitioner herein is for IPC offences and the petitioner has not involved in NDPS offence; that the petitioner is in judicial custody since 21.08.2025 and the trial is not progressing; and that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the



petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and stated that the petitioner is having 25 previous cases and the trial of this case is progressing, hence if the petitioner is enlarged on bail, there is possibility that he will indulge in another offence.

5. I have considering the submissions made on both sides and perused the materials available on record.

6. Considering the facts of this case, the quantity of contraband involved in this case is an intermediate quantity and the fact that the petitioner is in judicial custody for more than one year four months, 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.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 EC & NDPS Act at Chennai** and on further conditions that:



[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the concerned Trial Court daily at 10:30 a.m., for a period of three weeks and thereafter, on all the hearing dates without fail;

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

25.02.2026

stn

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 Judge,
Principal Special Court under EC & NDPS Act at Chennai.
2. The Inspector of Police,
M-5, Ennore Police Station,
Chennai. (Crime No.669 of 2024)
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

stn



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