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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2026

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.10958 of 2026

Didarul Hussain

... Petitioner(s)

Vs.

The State represented by the Inspector of Police,
PEW – Guduvancherry Unit,
Chengalpattu District.
Crime No.44 of 2026

... Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail, in connection with Crime No.44 of 2026, pending investigation on the file of the respondent Police.

For Petitioners : Mr.P.Muthamizhselvakumar

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

ORDER

Petition seeking bail in respect of Crime No.44 of 2026 registered for the alleged offences punishable under Sections 8(c) r/w Section 21(b) and 29(1) of the NDPS Act is on board for consideration.



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2. The learned counsel for the petitioner, pleading innocence on the part of the petitioner, who has been in incarceration since 16.03.2026, and alleging false implication in the case, seeks the indulgence of this Court. He would further submit that the petitioner is in no way connected with the alleged offence. However, without prejudice to the defence and contentions, the petitioner is ready and willing to deposit a sum of Rs.5,000/- to any welfare scheme of the Government or any other organisation. He also submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing the grant of bail, is that the petitioner was found in illegal possession of 7 grams of heroin. He would further submit that the case is under investigation and that the petitioner has no bad antecedents.

4. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of “Manonmani Trust, Account Number : 9945983362, IFSC Code : KKBK0000469, Kotak Mahindra Bank, Anna Nagar



Branch”, without prejudice to his defence before the trial Court and making it clear that such deposit shall not amount to an admission of guilt.

5. Further, having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police, and upon perusing the materials available on record, and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with two sureties (one of whom shall be a blood relative of the accused) each for a like sum, to the satisfaction of the learned Judicial Magistrate Court No.II, Chengalpattu, 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 respondent Police, everyday at 06.30 p.m., until further orders;

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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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[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]*;

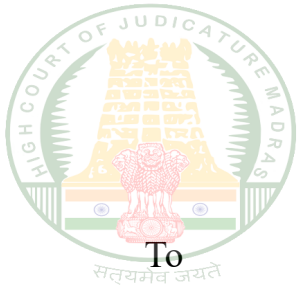
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

29.04.2026

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Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.
2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order, when uploaded on the official website of this Court, will be watermarked and will also have a QR code.



To

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1. The learned Judicial Magistrate Court No.II, Chengalpattu
2. The Inspector of Police, PEW – Guduvancherry Unit, Chengalpattu District.
3. The Superintendent, Central Prison, Puzhal.
4. The Public Prosecutor, High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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