



WEB COPY

CRL OP No. 11687 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-05-2026

CORAM

THE HON'BLE MRS. JUSTICE L.VICTORIA GOWRI

CRL OP No. 11687 of 2026

Santhosh

..Petitioner(s)

Vs

State Rep.by the Inspector of Police,
H8, Thiruvottiyur Police Station,
Chennai.
Crime No.736 of 2025.

..Respondent(s)

Criminal Original Petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on bail, in CC.No.1409 of 2025 on the file of the Special Judge, II Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai.

For Petitioner(s): Mr.K.A.M.Jagadish Kumar

For Respondent(s): Mr.V.J.Priyadarsana
Government Advocate
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.07.2025 for the alleged offences punishable under Sections 8(c), 20(b)(ii)(C) and 29(1) of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985, in Crime No.736 of 2025 on the file of the respondent police, seek bail.



2. The case of the prosecution is that the petitioner, along with the other persons was found in illegal possession of 25 Kilograms of Ganja. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. He would further submit that the petitioner has been in custody since 08.07.2025 and is ready to abide by any stringent conditions that may be imposed by this Court. He would further submit that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.25,000/-, to any welfare scheme of the Government or any other organization. Hence, he prayed for the grant of bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent, while opposing the grant of bail to the petitioner, reiterated the prosecution case and, on instructions, submitted that the petitioner is a habitual offender with four previous cases of a similar nature pending against him.

5. Heard learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent and perused the materials available on record.



6. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) as non-refundable deposit, to the credit of ***“CANCER INSTITUTE (WIA), Adayar, Savings Bank Account maintained at Andhra Bank, Madhya Kailash Branch, Cancer Institute(WIA), Dr.S.Krishnamurthi Campus, Sardar Patel Road, Chennai-36, SB Account No.149710011005477, IFSC No.ANDB0001497, Branch Name and Code 1497, MICR No.600011049’***, without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

7. Considering the above facts and circumstances, the voluntary submission made by the learned counsel for the petitioner to deposit a non-refundable sum of Rs.25,000/- for a charitable cause, the period of incarceration undergone by the petitioner, this Court is inclined to enlarge the petitioner on bail with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on his executing 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 II Additional Special Judge for EC and NDPS Act Cases, Chennai, and subject to the following conditions:



[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 respondent police everyday at 10.30 a.m. for a period of 30 days 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 aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Jeni



To

- 1.The II Additional Special Judge for EC and NDPS Act Cases, Chennai.
- 2.The Superintendent, Central Prison-II, Puzhal, Chennai.
- 3.The Inspector of Police, H8, Thiruvottiyur Police Station, Chennai.
- 4.The Public Prosecutor, High Court of Madras, Chennai.



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L.VICTORIA GOWRI, J.

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