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CRL OP No. 12080 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12080 of 2026

Kakka @ Kanagaraj

..Petitioner(s)

Vs

State rep by the Inspector of Police,
T-1, Ambattur Police Station,
Chennai
Cr.No.135 of 2026

..Respondent(s)

Prayer: The Criminal Original Petition is filed under Section 483 of B.N.S.S., to enlarge the petitioner on bail in Cr.No.135 of 2026 on the file of the respondent police.

For Petitioner(s): Mr.S.Senthil Kumar

For Respondent(s): Mr.R.Vinoth Raja
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.04.2026 for the offences punishable under Sections 8(c), 20(b)(ii)(B), 25 of NDPS Act in Cr.No.135 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that petitioner along with other accused were found in possession of 1.250 Kgs of Ganja. Hence, the case.

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3. The learned counsel for the petitioner would contend that the petitioner is under judicial custody since 03.04.2026. He further submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Therefore he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) reiterated the prosecution case and submitted that investigation is pending and the offences are grave in nature and there are five previous cases against the petitioner. However, there was no recovery from the petitioner. However, he opposed for grant of bail to the petitioner.

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

6. Considering the nature of offence and the fact that the quantity involved is not a commercial quantity, no contraband was recovered from this petitioner and that though the petitioner has some previous cases, the petitioner has been granted bail in all those other cases and also taking into consideration the period of incarceration undergone by the petitioner, this Court is inclined to



grant bail to the petitioner, subject to the following conditions:

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[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 **Judicial Magistrate, Ambattur** and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

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

13-05-2026

Anu

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

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1. The Judicial Magistrate, Ambattur
2. The Inspector of Police,
T-1, Ambattur Police Station,
Chennai
3. The Superintendent
Central Prison-II, Puzhal, Chennai
4. The Public Prosecutor,
Madras High Court.



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P.DHANABAL, J.

Anu

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