



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2026

CORAM
THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No.34443 of 2025

Amithava Das

..Petitioner

Vs

The State rep by
Inspector of Police
PEW Tambaram Police Station,
Chennai.
Crime No.2/2024.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in C.C.No.550 of 2024 on the file of the 1st Additional EC and NDPS Court at Chennai.

For Petitioner : Mr.P.Rajendran

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

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ORDER

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The petitioner, who was arrested and remanded to judicial custody on 14.11.2025 for the alleged offence punishable under Section 8(c), 20(b)(ii)(C), 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.2 of 2024, on the file of the respondent police, seeks bail.

2. This petitioner was earlier arrested and released on bail by the trial Court in this case and ranked as A3 and he has been absconded since 28.10.2025, a non-bailable warrant was issued against him and was arrested on 14.11.2025. hence, this petition for bail has been filed.

3. The learned counsel for the petitioner submitted that the petitioner was arrested on 14.11.2025 and he was earlier regularly appeared before the trial Court and is now ready to co-operate with the trial process. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) reiterated the case of the prosecution and submitted that it is the case of commercial quantity



and somehow the petitioner has availed bail and now delaying the process of trial and absconded, hence he opposed to grant bail. He further submitted that trial is yet to be started and the trial is pending at the stage of framing of charges. Also, he submitted that this Court has called for report from the trial Court concerned and revealed that the charges against the petitioner has not framed due to non-availability of interpreter and submitted that the petitioner was regularly appearing for some time and now jumped bail.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the period of incarceration undergone by the petitioner, already he was in bail and was regularly appeared before the trial Court, this Court is inclined to grant bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.20,000/- (Rupees Twenty**



Thousand only) with two sureties, for a like sum to the satisfaction of the **1st Additional EC & NDPS Court, Chennai** 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 appear before the Trial Court concerned daily at 10:30 a.m., for a period of three weeks and thereafter, on all hearing dates without fail;

[c] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall make himself available for interrogation by a Police officer as and when required;

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



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[f] 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]**;

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

19.01.2026

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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.



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K.RAJASEKAR, J.,

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To

1.The 1st Additional EC & NDPS Court,
Chennai

2. The Inspector of Police
PEW Tambaram Police Station,
Chennai.

3.The Superintendent,
Puzhal-II Prison

4.The Public Prosecutor,
High Court, Madras.

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