

**(2025) 12 MAD CK 0026**

**Madras HC**

**Case No:** Criminal Original Petition No. 33267 Of 2025

Ajay @ Annanmalai

APPELLANT

Vs

State

RESPONDENT

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**Date of Decision:** Dec. 4, 2025

**Acts Referred:**

- Narcotic Drugs And Psychotropic Substances Act, 1985-Section 8(c), 20(b)(ii)(B)
- Bharatiya Nyaya Sanhita, 2023-Section 269

**Hon'ble Judges:** K. Rajasekar, J

**Bench:** Single Bench

**Advocate:** P.Muthamizhselvakumar, A.Gopinath

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**Judgement**

K. Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 18.10.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act, 1985, in Crime No.872 of 2025, registered on the file of the respondent police, seeks bail.

2. The allegation against this petitioner is that, this petitioner was found in possession of 1.300 grams of ganja illegally. Hence this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and the petitioner is in judicial custody since 18.10.2025; and that the petitioner is ready to abide by any stringent 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 reiterated the prosecution case and submitted that the petitioner is having 6 previous case (including u/s.302, u/s.307 IPC) and opposed for grant of bail to the petitioner.

5. Considering the facts and circumstances of the case, that the quantity seized is not a commercial quantity and also the period of incarceration, and that the petitioner is having six previous cases, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 Judicial Magistrate Court at Ambattur, 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 learned Judicial Magistrate Court at Ambattur daily at 10:30 a.m., for a period of four weeks and thereafter as and when requires for interrogation by the respondent police;**

[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 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 B.N.S.