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CrI.O.P.No.28218 of 2024

N THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2024

CORAM

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

CrI.O.P.No.28218 of 2024

1.Ranjith Kumar

2.Ajay

... Petitioners

Vs.

The State Represented by
The Inspector of Police
K-10 Koyambedu Police Station,
Chennai.
(Crime No.869 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS,
pleaded to enlarge the petitioners on bail, in connection with the Crime
No.869 of 2024, pending investigation on the file of the respondent
Police.

For Petitioners : Mr.V.Karthick

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI.Side)

ORDER



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This Criminal Original Petition has been filed by the petitioners, who are arrayed as A1 and A2 and arrested and remanded to judicial custody on 09.10.2024, seeking bail in Crime No.869 of 2024 registered for the offence under Sections 8(c) and 20(b) (ii) (B) of Narcotic Drugs and Psychotropic Substances Act, 1985 and 278 and 132 of BNS.

2. The case of the prosecution is that on 09.10.2024 at about 15.00 hours on receipt of secret information from the intelligence, the respondent police team went to Nerkundram Bhuvaneshwari Nagar, Meenakshi Nagar Junction, where A1 and A2 were found in illegal possession of 1.150 kilograms of Ganja and Tapentatol Tablets 100 MG(16 nos) without valid licence and seized the contrabands and arrested and remanded to judicial custody on the same day. Based on the confession given by the other accused, A3 was arrested and he was found in illegal possession of Tapentatol Tablets 100 MG(20 nos) without valid licence. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that



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the petitioners are innocent persons and they had been falsely implicated in this case. He has also submitted that the petitioners are in custody from 09.10.2024 and they are also ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there are totally three accused involved in this case and the petitioners are arrayed as A1 and A2. While opposing for the grant of bail to the petitioners, he had submitted that on the date of occurrence, A1 to A3 were found in illegal possession of 1.150 kilograms of Ganja and Tapentatol Tablets 100 MG(36 nos) without valid licence and no previous case had been registered against them.

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

6. Taking into consideration the above facts and circumstances of the case, the submissions made by the learned counsel on either side



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and also considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond **each for a sum of Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties (one of them shall be either father or mother of the respective petitioner)**, each for a like sum to the satisfaction of the learned **V Metropolitan Magistrate, 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 petitioners shall report before the respondent Police, everyday at 06.30 p.m., until further orders;

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

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

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is



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entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

12.11.2024

raa

To

1.The V Metropolitan Magistrate, Chennai.

2.The Inspector of Police
K-10 Koyambedu Police Station,
Chennai .

3.The Superintendent, Central Prison-II,
Puzhal, Chennai.

4.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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