



CRL.O.P.No.29807 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2024

CORAM:

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

CRL.O.P.No.29807 of 2024

1.Abinash,  
S/o.Kalimuthu,

2.Abimanyu,  
S/o.Kathavarayan

... Petitioners

Versus

The State rep. by  
The Inspector of Police,  
J-8 Neelankarai Police Station,  
(Crime No.483 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to  
enlarge the petitioners/accused on bail in Crime No.483 of 2024 dated  
27.10.2024 pending on the file of the respondent Police.

For Petitioner : Mr.K.Vignesh

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



CRL.O.P.No.29807 of 2024

## ORDER

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Petition seeking bail in respect of Crime No.483 of 2024 registered for the offences punishable under Sections 8(c), 20(b)(ii)(B) and 22(a) of Narcotic Drugs and Psychotropic Substances Act, 1985 is on board for consideration.

2.The incarceration of the petitioners being from 26.10.2024 pleading innocence on the part of the petitioners and false implication in the case, the learned counsel for the petitioners seeks indulgence of this Court. The learned counsel for the petitioners would submit that the petitioners are innocent and a false case has been registered against them. They are ready to abide by any stringent conditions that may be imposed by this Court.

3.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioners/A2 & A3 along with A1 were found to be in illegal possession of 1.2 kilograms of ganja



CRL.O.P.No.29807 of 2024

and 14 Nitrovet tablets.

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4. Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant bail to the petitioners with certain conditions and accordingly, they are ordered to be released on bail on their executing a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Principal Special Judge for NDPS & EC Act, 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;



CRL.O.P.No.29807 of 2024

[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 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 of B.N.S.

28.11.2024

vv2



CRL.O.P.No.29807 of 2024

To  
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- 1.The Principal Special Judge for NDPS & EC Act,  
Chennai.
- 2.The Inspector of Police,  
J-8 Neelankarai Police Station,
- 3.The Superintendent,  
Central Prison,  
Puzhal, Chennai.
- 4.The Public Prosecutor,  
High Court of Madras.



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CRL.O.P.No.29807 of 2024

A.D.JAGADISH CHANDIRA, J.

vv2

Crl.O.P.No.29807 of 2024

28.11.2024