



CRL.O.P.No.31470 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2024

CORAM:

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

CRL.O.P.No.31470 of 2024

B.Chandru

... Petitioner

Versus

The State rep by its
Inspector of Police,
Villupuram Town Police Station,
Villupuram.
(Crime No.424 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in relation to Crime No.424 of 2024 on the file of the respondent Police Station.

For Petitioner : Mr.A.Suresh Kumar

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



CRL.O.P.No.31470 of 2024

ORDER

WEB COPY Petition seeking bail in respect of Crime No.424 of 2024 registered for the offences punishable under Section 20(b)(ii)(A) of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015 is on board for consideration.

2.The incarceration of the petitioner being from 02.11.2024 pleading innocence on the part of the petitioner and false implication in the case, the learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner is innocent and a false case has been foisted against him. He further submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.5,000/- to any welfare scheme of the Government or any other organization. He also submits that the petitioner is ready to abide by any stringent condition 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



CRL.O.P.No.31470 of 2024

Police, opposing for grant of bail, is that all the three accused were found to be in illegal possession of 44 grams of Ganja, out of which, the petitioner was in possession of 20 grams of Ganja.

4.Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of St.Annes Home for Children, Cruzpuram, Thoothukudi, (A/C.No.001100050304673, IFSC: TMBL0000001, MICR: 627060004, Tamilnad Mercantile Bank, Limited, 56 & 57 Beach Road, Thoothukudi Main Branch, Thoothukudi-628 001), without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

5.Further, having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions and



CRL.O.P.No.31470 of 2024

WEB COPY

accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties (out of which, one of the sureties should be either the father or mother of the petitioner) each for a like sum to the satisfaction of the learned Principal Special Court for trial of EC and NDPS Act Cases, Villupuram, 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 report before the respondent Police, everyday at 10.30 a.m., until further orders;

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

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned



WEB COPY



CRL.O.P.No.31470 of 2024

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.

17.12.2024

vv2

To

- 1.The Principal Special Court for trial of EC and NDPS Act Cases,
Villupuram.
- 2.The Inspector of Police,
Villupuram Town Police Station,
Villupuram.
- 3.The Superintendent,
District Jail, Villupuram.
- 4.The Public Prosecutor,
High Court of Madras.



WEB COPY



CRL.O.P.No.31470 of 2024

A.D.JAGADISH CHANDIRA, J.

vv2

Crl.O.P.No.31470 of 2024

17.12.2024