



CRL OP NO. 34 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 34 of 2025

B. Prashanth @ K.P.@Karupu Prashanth

S/o. Babu, No.7, MGR Nagar, Kodungaiyur, Chennai - 600 118.

Petitioner(s)

Vs

The State Rep.By, The Inspector Of Police,

The State rep by The Inspector of Police H-6 R.K. Nagar Police Station

Respondent(s)

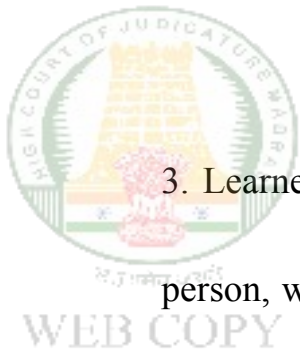
For Petitioner(s): Mr. R Nagaraj, Mr. K. Shahul Hameeth

For Respondent(s): Mr. S.Santhosh, Government Advocate (Criminal Side).

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c) & 20(b)(ii)(A), 29(1) of the Narcotics Drugs & Psychotropic Substances (NDPS) Act, 1985, and Sections 296(b), 132 of the Bharatiya Nyaya Sanhita, (BNS), 2023, in Crime No.1329 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found to be in possession of 40 gms of Ganja for illegal sale. Hence, this case.



3. Learned counsel for the petitioner submits that the petitioner is an innocent person, who has been falsely implicated in this case. The petitioner has no way connection with the offences as alleged by the prosecution. The petitioner was arrayed as A5, solely based on the confession statement of the accused/A1 and the contraband was seized from the accused/A1, A2, A3 & A4. Further, he submits that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays that anticipatory bail be granted to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police submits that totally 5 accused involved in this case. The petitioner being A5, who is alleged to be a supplier of contraband to the other accused. Further, he submits that the petitioner has eight (8) previous cases pending against him, none of which is under the NDPS cases.

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

6. Considering the nature of the offence charged against the petitioner and also



taking note of the fact that, although the petitioner having eight previous cases pending against, none of which are NDPS cases, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, the petitioner are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the **learned XV- Metropolitan Magistrate, George Town at Chennai**, on condition that the petitioner shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two sureties each for a like sum to the satisfaction of the respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner and 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;

[c] the petitioner shall report before the respondent Police everyday at 06:30 P.M., until further orders;



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

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

[f] 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 was 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];

[g] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

22-01-2025

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To
1. The State Rep.By, The Inspector Of Police,
The State rep by
The Inspector of Police
H-6 R.K. Nagar Police Station



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A.D. JAGADISH CHANDIRA, J.

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