



Crl.O.P.No.288 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2025

CORAM

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

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1.Vasanth@Vasa

2.Arunpandiyam@Alertarun

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Sivakanchi Police Station,
Kancheepuram.

(Crime No.600 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail, in connection with Crime No.600 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.K.Karthik

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

ORDER

Petition seeking bail in respect of Crime No.600 of 2024 registered for the offences punishable under Sections 8(c) and 20(b)(ii)(B) of NDPS Act, 1985



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and Section 25(1)(a) of the Arms Act, 1959, is on board for consideration.

2. The incarceration of the petitioners/A1 & A2 being from 18.11.2024 pleading innocence on the part of the petitioners and false implication in the case, learned counsel for the petitioners seek indulgence of this Court. He submits that the petitioners, without prejudice to the defence and contention, are ready and willing to deposit a sum of Rs.5,000/- each, to any welfare scheme of the Government or any other organization. He further submits that the petitioners are 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 (Crl.Side) appearing for the respondent police, opposing for grant of bail, is that the petitioners along with other accused was found to be in illegal possession of 1,500 grams of ganja. He further submits that the first petitioner has got 27 previous cases, of which none was registered under NDPS Act and the second petitioner has got 20 previous cases, of which two pertains to NDPS Act, therefore, if the petitioners are released on bail, there is a possibility of them absconding and not available for further investigation.



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4. Considering the voluntary submission made by the learned counsel for the petitioners, the petitioners are directed to deposit a sum of **Rs.5,000/- (Rupees Five Thousand only)** each, to the credit of **Manonmani Trust, Account Number 9945983362, IFSC Code : KKBK0000469, Kotak Mahindra Bank, Anna Nagar Branch, (Home for needy in the name of Anbagam at Thirukandalam Village, Thiruvallur District)**, 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 petitioners and the learned Government Advocate (Crl.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 them executing separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Principal Sessions Special Judge (NDPS), 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



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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 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.

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To

1. The Principal Sessions Special Judge (NDPS), Chennai
2. The Inspector of Police,
Sivakanchi Police Station,
Kancheepuram.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

Anu

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