



Crl.O.P.Nos.270, 282, 286, 540 & 904 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2025

CORAM

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

Crl.O.P.Nos.270, 282, 286, 540 & 904 of 2025

Prasannakumar	... Petitioner in Crl.O.P.No.270 of 2025
Dhanush	... Petitioner in Crl.O.P.No.282 of 2025
Vishnu Gopan @ Vishnu	... Petitioner in Crl.O.P.No.286 of 2025
Dharani	... Petitioner in Crl.O.P.No.540 of 2025
Balaji @ Duke Balaji	... Petitioner in Crl.O.P.No.904 of 2025

Vs.

The State represented by,
The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai District.

(Crime No.804 of 2024). ... Respondent in all Crl.O.Ps

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.804 of 2024, pending investigation on the file of the respondent Police.

For Petitioner in Crl.O.P.No.270 of 2025 : M/s.N.Sasikala

For Petitioner in Crl.O.P.No.282 of 2025 : Mr.G.Vinodh Kumar

For Petitioner in Crl.O.P.No.286 of 2025 : Mr.R.Parthiban

For Petitioner in Crl.O.P.No.540 of 2025 : Mr.P.Muthamizhselvakumar

For Petitioner in Crl.O.P.No.904 of 2025 : Mr.D.Manoj Kumar



WEB COPY



Crl.O.P.Nos.270, 282, 286, 540 & 904 of 2025

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

ORDER

Petitions seeking bail in respect of Crime No.804 of 2024 registered for the offences punishable under Sections 8(c) read with Section 20(b)(ii)(C), 25, 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985, are on board for consideration.

2. The incarceration of the petitioners being from 10.11.2024, 22.11.2024 and 05.12.2024 respectively, pleading innocence on the part of the petitioners and false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. He further submit that, petitioners have been implicated in this case based on the confession recorded from A1 that he handed over the ganja to these persons to sell it to various other persons. As far as the petitioners in Crl.O.P.Nos.270, 282 and 286 of 2024 of 2025 are concerned, they do not have any previous case and there is no recovery from them. As far as petitioner in Crl.O.P.No.540 & 904 of 2025 is concerned, the contraband said to have been recovered from them is 500gs of ganja each, which is an intermediate quantity and each of them has five previous cases under NDPS case and even in



Crl.O.P.Nos.270, 282, 286, 540 & 904 of 2025

those cases, they were implicated based on the confession statement of the arrested accused and there is no recovery from the petitioners in those cases. He further submits that the petitioners in Crl.O.P.Nos.270, 282 and 286 of 2024 of 2025, without prejudice to the defence and contention, are ready and willing to deposit a sum of Rs.5,000/-each and the petitioners in Crl.O.P.No.540 & 904 of 2025 are ready and willing to deposit a sum of Rs.10,000/- 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, on 05.12.2024, respondent police has seized 21.202kgs of ganja, 20 grams of ganja chocolate and 100 grams of ganja oil from A1, which is a commercial quantity and during the course of the investigation, he confessed that, he used to sell ganja to other accused and based on his confession, they have been arrested.



Crl.O.P.Nos.270, 282, 286, 540 & 904 of 2025

WEB COPY

4. Considering the voluntary submission made by the learned counsel for the petitioners, the petitioners in Crl.O.P.Nos.270, 282 and 286 of 2024 of 2025 is directed to deposit a sum of **Rs.5,000/- each** and the petitioners in Crl.O.P.No.540 & 904 of 2025 are directed to deposit a sum of **Rs.10,000/- each**, to the credit of "**Light Social Welfare Trust, Canara Bank, Arumuganeri Branch, A/c.No.1102101018391 IFSC Code : CNRB0001102**", 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 their executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction as follows:



Crl.O.P.Nos.270, 282, 286, 540 & 904 of 2025

<i>S.No.</i>	<i>Crl.OP.No.</i>	<i>Petitioner's rank</i>	<i>Bail to the satisfaction of</i>
1	270 of 2024	A6	Learned V Metropolitan Magistrate, Egmore, Chennai
2	282 of 2024	A3	Learned Principal Special Court under EC & NDPS Act, Chennai
3	286 of 2024	A16	Learned X Metropolitan Magistrate, Egmore, Chennai
4	540 of 2025	A19	Learned X Metropolitan Magistrate, Egmore, Chennai.
5	904 of 2025	A18	Learned X Metropolitan Magistrate, Egmore, 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 10.30 a.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



Crl.O.P.Nos.270, 282, 286, 540 & 904 of 2025

WEB COPY

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.

27.01.2025

Sma

To

1. X Metropolitan Magistrate Court, Egmore.
2. V Metropolitan Magistrate, Egmore, Chennai
3. Principal Special Court under EC & NDPS Act, Chennai
4. The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai District.
5. The Superintendent,
Central Prison, Puzhal
6. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.Nos.270, 282, 286, 540 & 904 of 2025

A.D.JAGADISH CHANDIRA.,J.

Sma

Crl.O.P.Nos. 270, 282, 286, 540 & 904 of 2025

27.01.2025