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Crl.O.P.Nos.481 and 590 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.481 and 590 of 2025

Venkatesan @ Venkatesh ... Petitioner in Crl.O.P.No.481 of 2025

Ameer Basha ... Petitioner in Crl.O.P.No.590 of 2025

Vs.

The State represented by,
The Inspector of Police,
M-3, Puzhal Police Station,
Chennai.

(Crime No.954 of 2024). ... Respondent in both 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.954 of 2024, pending investigation on the file of the respondent Police.

For Petitioners : Mr.D.Manoj Kumar

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



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ORDER

Petitioner in Crl.O.P.No.481 of 2025 seeking bail in respect of Crime No.954 of 2024 registered for the offences punishable under Sections 8(c) read with Section 22(b), 25 and 29(1) of NDPS Act, 1985 altered under Section 8(c) read with Section 22(c), 25 and 29(1) of NDPS Act, is on board for consideration.

Petitioner in Crl.O.P.No.590 of 2025 seeking bail in respect of Crime No.954 of 2024 registered for the offences punishable under Sections 8(c) read with Section 22(b)(ii)(B), 29(1) & 25 of NDPS Act @ 8(C) read with Section 22(b)(ii)(C), 29(1) & 25 of NDPS Act, is on board for consideration.

2. The incarceration of the petitioners being from 24.11.2024 and 21.11.2024 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, though commercial quantity have been recovered from the other accused in this case, no recovery has been made from Venkatesan (A9) and 3.55g Methamphetamine has been recovered from Ameer Basha (A10), which is a not a commercial quantity. He further submits that the petitioners, without prejudice to the defence and contention, are ready and willing to deposit a sum of



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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 another accused were found to be in illegal possession of 75.56 grams of Methamphetamine and 12 Nos of Nitrovet Tablet.

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 "**District Legal Services Authority, Chennai**", 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



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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 of the learned **Principal Special Court under NDPS Act at 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 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]***;



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[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. Principal Special Court under NDPS Act, Chennai.
2. The Inspector of Police,
M-3, Puzhal Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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