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Crl.O.P.No.607 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2025

CORAM

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

Crl.O.P.No.607 of 2025

D.Kumaravel

... Petitioner

Vs.

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

(Crime No.954 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.954 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.Jaikumar

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

ORDER

Petition seeking bail in respect of Crime No.954 of 2024 registered for the offences punishable under Sections 8(c), 20(b), 25, 29(1) of Narcotic Drugs



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and Psychotropic Substances Act, 1985 @ under Section 8(c) r/w Section 22(C), 25 and 29(1) of NDPS Act, is on board for consideration.

2. The incarceration of the petitioner/A2 being from 19.11.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He submits that though the total contraband said to be seized in this case is 75.56 grams of Methamphetamine, which is a commercial quantity, the quantity recovered from the petitioner/A2 together with A1 is only 2.1 grams of Methamphetamine. He would further submit that the petitioner is not a dealer and he is only a consumer and that the rigours of Section 37 Cr.P.C may not be applicable as against the petitioner. He also submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.10,000/-, to any welfare scheme of the Government or any other organization. He further 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 police, opposing for grant



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of bail, is that the petitioner along with other accused was found to be in illegal possession of 75.56 grams of Methamphetamine and 12 nos. of Nitrovet Tablets. He would submit that 2.1 grams of Methamphetamine was seized from the petitioner together with A1 and that they have purchased the materials from A3 to A6 and on their confession, A7 and A8 were implicated.

4. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, to the credit of **Little Drops - Public Charitable Trust Account no - 05811010002400 IFSC - PUNB0058110 Punjab National Bank Moulivakkam chennai. Mobile - 9176623342**, 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, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees**



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Fifteen Thousand only) with two sureties, each for a like sum to the satisfaction of the learned **Principal Special Court under EC and NDPS Act, 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 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 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.

23.01.2025

Anu

To

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



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A.D.JAGADISH CHANDIRA.,J.

Anu

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