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Crl.O.P.Nos.485 and 501 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2025

CORAM

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

Crl.O.P.Nos.485 and 501 of 2025

1.Udhayavani ... Petitioner in Crl.O.P.No.485 of 2025
2.Tharun ... Petitioner in Crl.O.P.No.501 of 2025

Vs.

The State represented by,
The Inspector of Police,
K2 Ayyanavaram Police Station,
Chennai District.

(Crime No.339 of 2024). ... Respondent in both Crl.O.Ps

COMMON PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on bail, in connection with Crime No.339 of 2024, pending investigation on the file of the respondent Police.

For Petitioners : Mr.Santhosh in both Crl.O.Ps

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)
in both Crl.O.Ps



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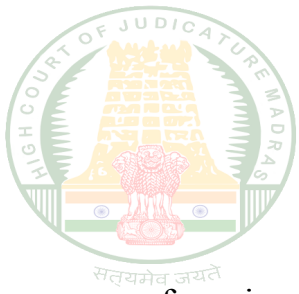
COMMON ORDER

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Petition seeking bail in respect of Crime No.339 of 2024 registered for the offences punishable under Section 8(c), r/w Section 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985, is on board for consideration.

2. The incarceration of the petitioners/A2 & A1 being from 16.12.2024 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 petitioner in Crl.O.P.No.485 of 2025 was granted bail in Crime No.278 of 2024 on 24.10.2024 and immediately, after coming out on bail, she was arrested in this case. He submits that that the petitioners, without prejudice to the defence and contention, 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 (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioners were found to be in illegal possession of 1.090 kgs



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of ganja, each. He would submit that the petitioner/A2 has got nine previous cases, of which five cases relates to NDPS Act and that the petitioner/A1 has got six previous cases, of which two relates to NDPS Act.

4. Considering the voluntary submission made by the learned counsel for the petitioners, the petitioners are directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only) each**, to the credit of **Tamil Nadu Advocate's Clerk's Association, Account No. 484026006, Branch: Indian Bank, High Court, IFSC No. IDIB000M157**, 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, 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 petitioners with certain conditions and accordingly, the petitioners 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 **V Metropolitan Magistrate Court, Egmore**, and on further conditions that:



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[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 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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1. The V Metropolitan Magistrate Court, Egmore
2. The Inspector of Police,
K2 Ayyanavaram Police Station,
Chennai District.
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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