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Crl.O.P.No. 539 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2025

CORAM

**THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA**

**CRL OP NO. 539 of 2025**

SANAVULLAH

S/o. Dhurap

Petitioner(s)

Vs

State Rep By,  
Inspector Of Police  
H-1, Washermenpet Police Station,  
Chennai.  
Crime No.844 Of 2024

Respondent(s)

**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.844 of 2024**, pending investigation on the file of the respondent Police.

For Petitioner : Mr. R.Kannabiran

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



Crl.O.P.No. 539 of 2025

WEB COPY

## **ORDER**

Petition seeking bail in respect of **Crime No.844 of 2024** registered for the offences punishable under Sections **8(C) r/w 20(b)(ii)(A) of NDPS Act and 274, 275, 123 of B.N.S.Act and 6(a) r/w 24(1) of COTPA Act and 7 r/w 9 (ii) of TNPSS Act and 77 of J.J.Act** is on board for consideration.

2. The incarceration of the petitioner being from **22.12.2024** pleading innocence on the part of the petitioner and false implication in the case, the learned counsel for the petitioner seeks indulgence of this Court. He further submits that he is an innocent person and he was falsely implicated in this case. He would also submit that there is no recovery from this petitioner. He also submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of **Rs.5000/-** 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.



Crl.O.P.No. 539 of 2025

WEB COPY

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 on 14.11.2024 around 09.30 hours, based on a secret information, the respondent police went to DBK Street nearby market on search, the petitioner along with other accused were found in possession of 140 grams of prohibited tobacco products and 20 grams of ganja and seized by them. He further submits that one previous case pending against the petitioner. He would also submit that totally 3 accused involved in this case and the petitioner is arrayed as A1.

4. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.5000/- (Rupees five thousand only)** to the credit of the **"The Satkaarya Trust Orphanage No.10/46, Periyar Street, Thenpalani Nagar, Kolathur, Chennai – 600 099 ICICI Bank Kilpauk Branch, A/c.No. 027801002323 IFSC Code No. ICIC0000278"** 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 and the learned Government Advocate (Criminal Side) for the respondent Police and



CrI.O.P.No. 539 of 2025

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 fifteen thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **XV Metropolitan Magistrate Court, George Town, 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



CrI.O.P.No. 539 of 2025

WEB COPY

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]***;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

09.01.2025

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To

1. The XV Metropolitan Magistrate Court,  
George Town, Chennai.
2. The Inspector of Police,  
H-1, Washermanpet Police Station,  
Chennai.
3. The Superintendent,  
Central Prison,  
Puzhal, Chennai.
4. The Public Prosecutor,  
High Court of Madras.



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Crl.O.P.No. 539 of 2025

**A.D.JAGADISH CHANDIRA,J.**

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**Crl.O.P.No.539 of 2025**

**09.01.2025**