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Crl.O.P.Nos.1196 & 1374 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.Nos.1196 & 1374 of 2025

1.Praveen Kumar ... Petitioner in Crl.O.P.No.1196 of 2025

2.Praveenkumar ... Petitioner in Crl.O.P.No.1374 of 2025

Vs.

The State represented by,
The Inspector of Police,
NIB CID, Vellore District.

(Crime No.46 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.46 of 2024, pending investigation on the file of the respondent Police.

For Petitioners : Ms.S.Manimegalai
in Crl.O.P.No.1196 of 2025
Mr.R.Rajadurai
in Crl.O.P.No.1374 of 2025

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



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COMMON ORDER

Petitions seeking bail in respect of Crime No.46 of 2024 registered for the offences punishable under Sections 8(c), r/w Section 20(b)(ii)(B) and 29(1) of NDPS Act, is on board for consideration.

2. The incarceration of the petitioners/A2 & A1 being from 25.11.2024 and 24.11.2024 respectively, pleading innocence on the part of the petitioners and false implication in the case, the learned counsel for the petitioners seek indulgence of this Court. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this court. Hence, he prayed for bail.

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 8 kgs of Ganja. He further submitted that there are no previous cases against the petitioners herein.



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4. Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, and considering the period of incarceration undergone by the petitioners, 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 **Additional District Judge & Presiding Officer, Special Court under E.C & NDPS Act cases, Salem** 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 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



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witness either during investigation or trial;

A.D.JAGADISH CHANDIRA.,J.

Anu

[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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

23.01.2025

Anu

To

1.The Additional District Judge & Presiding Officer,
Special Court under E.C & NDPS Act cases, Salem

2.The Inspector of Police,
The Inspector of Police,
NIB CID, Vellore District.

3.The Superintendent,
Central Prison, Salem

4.The Public Prosecutor,
High Court of Madras.



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