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Crl.O.P.No.1263 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.01.2025

CORAM

THE HON'BLE MR. JUSTICE G.R.SWAMINATHAN

Crl.O.P.No.1263 of 2025

1. Vijay

2. Pradeep

... Petitioners

Vs.

State rep. by
The Inspector of Police,
H-4, Korukkupet Police Station,
Chennai.

(Crime No.634 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.634 of 2024, pending investigation on the file of the respondent Police.

For Petitioners : Mr.K.P.Rajendran

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



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ORDER

The petitioners stands accused in Crime No.634 of 2024 on the file of the file of the respondent for the offences punishable under Sections 8(c), 22(b)(ii)(A) r/w 29(i) of Narcotic Drugs and Psychotropic Substances Act 1985 and 77 of Juvenile Justice Act . He was arrested and remanded to judicial custody on 23.12.2024.

2. The learned Government Advocate appearing for the respondent submitted that the petitioner was found in possession of 300 grams of ganja and there are 3 previous cases pending against the petitioner and the contraband seized was only an intermediate quantity. However, he opposed for grant of bail to the petitioner.

3. Heard both sides and perused the materials available on record.

4. Considering the rival submissions made on either side, considering the nature of offences, considering the fact that the alleged contraband is only an intermediate quantity, further period of incarceration would not solve any



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purpose, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

(a) Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned XV Metropolitan Magistrate, George Town, Chennai and on further conditions that:

[b] the petitioners shall report before the respondent police daily at 10.00 a.m. until further orders;

[c] the petitioners shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioners shall not abscond either during investigation or trial;

[e] the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;



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[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

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

17.01.2025

mst/smn

To

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



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G.R.SWAMINATHAN., J.

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