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Crl.O.P.No.1511 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2025

CORAM

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

Crl.O.P.No.1511 of 2025

S. Girish

... Petitioner

Vs.

The State, represented by,
The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.
(Crime No.857 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on bail, in connection with Crime No.857 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr. C. Sridhar

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



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ORDER

Petition seeking bail in respect of Crime No.857 of 2024 registered for the alleged offences punishable under Sections 8(c), r/w. 20(b)(ii)(B), 22(a), 25 and 29(1) of the Narcotic Drugs & Psychotropic Substances Act, is on board for consideration.

2. The incarceration of the petitioner being from 15.12.2024 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 also submits that the petitioner is innocent and no way connected with the alleged offence. He also submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. He further 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 co-accused was arrested and released on bail by this Court vide order dated 09.01.2025 in CrI.O.P.No.554 of 2025.



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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 08.12.2024, based on a secret information, the respondent police went to the spot and found that the co-accused persons were found in possession of 1.53 grams of Methamphetamine and 1.200 kg. of ganja and based on their confession, the petitioner herein arrayed as an accused. He further submits that the petitioner is arrayed as A8 and he has one previous case, further no recovery from this petitioner.

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 "**District Legal Services Authority, Erode District**", 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. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused



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the materials available on record and taking note of the period of incarceration undergone by the petitioner, 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 X Metropolitan Magistrate, 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;



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[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]***;

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

28.01.2025

stn

To

1. The X Metropolitan Magistrate,
Chennai.
2. The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.
3. The Superintendent,
Central Prison,
Puzhal, Chennai.



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A.D.JAGADISH CHANDIRA, J.

stn

4. The Public Prosecutor,
High Court of Madras.

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