



WEB COPY



CrI.O.P.No. 1539 of 2025

N THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No.1539 of 2025

Deepanraj @ Kunchuvayan
S/o. Murugan
No.25, JJR Nagar, 1st Street
Vyasarpadi
Chennai – 600 039

... Petitioner/Accused No.2

Vs.

State Rep. by
The Inspector of Police,
P-5, M.K.B.Nagar Police Station
Chennai District.
(Crime No. 923 of 2024)

... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail in pending investigation in P-5 Crime No. 923 of 2024 on the file of the respondent police.

For Petitioner : Mr. A.Vinoth Kumar

For Respondent : Mr. A.Gopinath
Government Advocate (CrI.Side)



Cr.O.P.No. 1539 of 2025

ORDER

WEB COPY

Petition seeking bail in respect of Crime No.923 of 2024 registered for the offences punishable under Sections 8(c) read with 20(b)(ii)(B), 29(1) of NDPS Act 1985 and 25(1A) of Arms Act, is on board for consideration.

2. The case of the prosecution is that the petitioner along with two other accused were found in possession of 1.150 kgs of Ganja for sale and thus committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that the allegations are false and that in any case, he was arrested on 15.12.2024 and that his further custody is not required for the purpose of investigation, the petitioner may be granted bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police per contra would submit that the petitioner has six previous cases; out of six previous cases, one case ended in acquittal and five cases are pending investigation and those cases were registered for the offences under Sections 397 IPC or for 307 IPC.



CrI.O.P.No. 1539 of 2025

WEB COPY

5. The contraband seized is intermediate quantity. There are no previous cases against the petitioner under NDPS Act. The petitioner is in custody from 15.12.2024 and since the further custody is not required for the purpose of investigation, 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 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, Egmore, 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 on everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;



CrI.O.P.No. 1539 of 2025

WEB COPY

[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 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.

05.02.2025

vsg

To

1. X Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
P-5, M.K.B.Nagar Police Station
Chennai District.
3. Central Prison, Puzhal-II, Chennai
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



CrI.O.P.No. 1539 of 2025

SUNDER MOHAN., J.

vsg

CrI.O.P.No.1539 of 2025

05.02.2025