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Crl. O.P. Nos.2618 & 2251 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.Nos.2618 & 2251 of 2025

1. Suhail Ahmed ... Petitioner in Crl.O.P.No.2618 of 2025 / A12
2. Saravanan @ Karan Saran ... Petitioner in Crl.O.P.No.2251 of 2025 / A11

Vs.

The State represented by,
The Inspector of Police,
M3 Puzhal Police Station,
(Crime No.954 of 2024). ... Respondent in both cases

PRAYER: Criminal Original Petitions filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.954 of 2024, pending investigation on the file of the respondent Police.

For Petitioners
in Crl.O.P.No.2618 of 2025 : Mr.K.Anandha Raja
in Crl.O.P.No.2251 of 2025 : Ms.L.Parvin Banu
For Respondent : Mr.Leonard Arul Joseph Selvam
in both cases Government Advocate (Crl.Side)

COMMON ORDER

These Criminal Original Petitions have been filed by the petitioners, who were arrested and remanded to judicial custody on 22.12.2024 and 07.12.2024, seeking bail in Crime No.954 of 2024 registered for the offence under Sections 8(c) r/w 20(b), 25 and 29(1) of NDPS Act @ 8(c) r/w 22(C), 29(1) and 25 of



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2. The case of the prosecution is that on secret information, the respondent seized 2.1 grams of Methamphetamine from A1; that on his confession, 82.56 grams of Methamphetamine were seized and the petitioners were arrested and 5.00 grams of Methamphetamine was seized from A12/1st petitioner herein and there was no recovery from the 2nd petitioner/A11.

3. Learned counsel appearing for the petitioners submitted that the allegations against the petitioners are false; that no recovery of contraband was made from the 2nd petitioner and they are sought to be implicated as an accused based on the confession of the co-accused; that quantity of contraband seized by the respondent from the co-accused is intermediate quantity; that the co-accused in this case were granted bail by order of this Court in Crl.O.P.No.2847 of 2025 dated 18.02.2025 and that in any case, further custody of the petitioners are not required for the purpose of investigation and hence prayed for grant of bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that the petitioners are



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sought to be implicated as an accused based on the confession statement of co-accused and there are no previous cases against these petitioners

5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the nature of allegations, period of incarceration, the fact that no recovery was made from the 2nd petitioner and contraband was seized from co-accused and based on their confession, the petitioners are sought to be implicated as accused, the quantity of contraband seized by the respondent from the co-accused is intermediate quantity, the co-accused have been granted bail by this Court and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** each with **two sureties**, each for a like sum to the satisfaction of the learned **Principal Special Judge under EC & NDPS Act, Chennai**, and on further



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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 10.30 a.m., until further orders;

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

[d] the petitioners 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 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 absconds, a fresh FIR can be registered under Section 269 B.N.S.

19.02.2025

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To

1. The Principal Special Judge under EC & NDPS Act, Chennai
2. The Inspector of Police, M3 Puzhal Police Station, Chennai.
3. The Superintendent of Police, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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