



Crl. O.P. No.2741 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2741 of 2025

Ragu M/28,
S/o. Vijayakumar

... Petitioner/Accused-1

Vs.

State represented by
The Inspector of Police,
Neelankarai Police Station,
Chennai District,
Crime No.533/2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to
enlarge the petitioner on bail, in connection with the Crime No.533 of 2024, on
the file of the respondent Police.

For Petitioner : Mr. P. Muthamizhselvakumar

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



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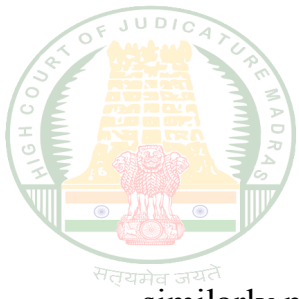
ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 13.11.2024, seeking bail in Crime No.533 of 2024 registered for the offences punishable under Section 8(C) r/w 22(C), 29(1) of NDPS Act, 1985.

2. The case of the prosecution is that the petitioner, who is arrayed as A1, and the two other accused, were found in possession of 13 grams of white Methamphetamine, 12 grams while Methamphetamine and 26 grams of brown Methamphetamine, respectively and thus committed the aforesaid offence.

3. The learned counsel for the petitioner submitted that the allegations against the petitioners are false; that the co-accused, namely A2, was granted bail by this Court considering the fact that the contraband seized from the individual was 12 grams of Methamphetamine, which is intermediate quantity. Hence he prayed that the petitioner who is similarly placed may also be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and confirmed the fact that A2, who was



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similarly placed was granted bail on 21.01.2025 in Crl.O.P. No.173 of 2025.

5. This Court finds that though the total quantity seized from A1 to A3 is shown as commercial quantity, the quantity seized from the petitioner is intermediate in nature and the respondent has not shown that the petitioner and the other accused were part of conspiracy to possess commercial quantity of contraband. The similarly placed accused was granted bail in Crl.O.P. No.173 of 2025 by making the following observations.

"5. Further, having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal side) for the respondent police and perused the material available on record and taking note of the fact that the amount of contraband recovered from the petitioner is only an intermediate quantity and that there is no material to show that the petitioner was aware of the contraband of the other accused, this Court is inclined to grant bail to the petitioner with certain conditions."



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The above observation squarely applies to this petitioner also. Hence, this

Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 **District Munsif cum Judicial Magistrate, Sholinganallur**, 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, daily 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 B.N.S.

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To

1. The District Munsif cum Judicial Magistrate, Sholinganallur
2. The Inspector of Police,
Neelankarai Police Station,
Chennai District,
Crime No.533/2024
3. The Superintendent, Central Prison, Puzhal.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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