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CrI.O.P.No.2875 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.2875 of 2025

Murugaiyan
S/o.Gunaseelan

...Petitioner/Accused-4

Vs.

State through
The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram District.

(Crime No.980 of 2024)

...

Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.980 of 2024 pending investigation on the file of the respondent police.

For Petitioner : Mr.G.Jaisivaramaraj

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 04.01.2025, seeking bail



in Crime No.980 of 2024 registered for the offence under Sections 8(c) and 20(b)(ii)(B) of NDPS Act.

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2.The case of the prosecution is that the petitioner along with the other accused, was found to be in illegal possession of 1 kg 900 grams of Ganja in a bike bearing Registration No.TN-18-AR-1785. Hence, the case.

3.Learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the contraband seized is intermediate quantity and that the petitioner is in custody from 04.01.2025 and he is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4.Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted that the petitioner along with the other accused, was found to be in illegal possession of 1 kg 900 grams of Ganja. He further submitted that the petitioner is having four previous cases against him.



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

6.Considering the fact that the previous cases have been registered for offences under IPC and he is on bail in all those cases and that the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

7.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 **Special Court for Trial of NDPS Act Cases, Villupuram**, 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;

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[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;

[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.

06.02.2025

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Copy to:

1.The Inspector of Police,
M-5, Ennore Police Station,
Tiruvallur District.



2.District Jail, Villupuram.

3.The Special Court for Trial of NDPS Act Cases, Villupuram.

4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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