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CrI.O.P.No. 2830 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.2830 of 2025

Giridharan

... Petitioner/Accused No.2

Vs.

The State Rep. by its
The Inspector of Police,
H-6, R.K.Nagar Police Station
Chennai.
(Crime No. 02 of 2025)

... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail in
connection with the Crime No. 02 of 2025 on the file of the respondent police.

For Petitioner : Mr. D.Padmanabhan

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



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ORDER

Petition seeking bail in respect of Crime No.02 of 2025 registered for the offences punishable under Sections 8(c), 20(b)(ii)(B) of NDPS Act, is on board for consideration.

2. The case of the prosecution is that the petitioner along with other accused were found in possession of 1.500 kgs of Ganja which is meant for sale and the petitioner was found in possession of 100 grams of ganja.

3. The learned counsel for the petitioner would submit that the allegations against him are false; that in any case, considering the period of incarceration from 02.01.2025, the petitioner may be released on bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police per contra would submit that there are nine previous cases registered against the petitioner for major offences under Sections 307 or 395 IPC; that the petitioner is on bail in those cases.



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5. Considering the fact that the petitioner is on bail in the previous cases, the quantity of the contraband seized from the petitioner, the period of incarceration from 02.01.2025 and 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 **XV Metropolitan Magistrate Court, George Town, Chennai District** 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;



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[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. XV Metropolitan Magistrate Court,
George Town, Chennai District.
2. The Inspector of Police,
H-6, R.K.Nagar Police Station
Chennai.
3. Central Prison, Puzhal-II, Chennai
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

vsg

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