



Crl.O.P.No.3285 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3285 of 2025

Ramesh

Petitioner(s)

Vs

State rep by the
Inspector of police
P2 Otteri Police Station,
Chennai- 600 012
(Crime No. 56/2025)

Respondent(s)

PRAYER: Criminal Original Petition has been filed under Section 482 of B.N.S.S. praying to enlarge the petitioner on bail in the event of his arrest in Crime No. 56 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.Sriharan R

For Respondent : Mr.S.Balaji,
Govt. Advocate (Crl. Side)



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ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c) r/w 20 (b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.56 of 2025 on the file of the respondent police, seek anticipatory bail.

2. It is the case of the prosecution that on 12.01.2025, on a secret information about illegal sale of ganja, the respondent police went to Amma Hotel, Valluvan Nagar, wherein they intercepted the petitioner and on search, he was found in possession of 1.100 kgs. of ganja illegally. On perusal of F.I.R., it was revealed that on the date of occurrence, the petitioner along with 1st accused had purchased ganja and sold it to A3. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is not connected with the offence and based on the confession statement of A1, he was falsely implicated in this case; that in any case, the custodial interrogation of the petitioner is not required and prayed for the grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and on instructions submitted that there is no previous case



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pending against the petitioner; that the petitioner is implicated as accused based on the confession statement of A1.

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

6. Considering the aforesaid facts and the nature of allegation; that based on a confession statement of co-accused/A1, the petitioner was implicated as accused; that there is no previous case pending against him, custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, he is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned X Metropolitan Magistrate, Egmore, Chennai on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two sureties each for a like sum to the satisfaction of the respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:



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[a] the petitioner and 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.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond 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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

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- To
- 1.X Metropolitan Magistrate,
Egmore, Chennai.
 2. The Inspector Of Police,
P2 Otteri Police Station,
Chennai.
 3. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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