



Crl. O.P. No.3017 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl. O.P. No.3017 of 2025

Arun Kumar @ Kattai Arun S/o.Moorthy
Vs.

... Petitioner / Accused

The State represented by:

The Inspector of Police,
P-6 Kodungaiyur Police Station,
Pulianthope, Chennai District.
(Crime No.748 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.748 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr. S.Mageshkumar

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 23.10.2024, seeking bail in Crime No.748 of 2024 registered for the offences under Sections 8(c), 22(c), 25 and



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29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The case of the prosecution is that on secret information, A1 to A6 were found in possession of 245 grams of Methamphetamine, which is a commercial quantity and that on the basis of their confession, the petitioner was arrested on the allegation that the petitioner had supplied the contraband to A1 to A6 and thus, committed the aforesaid offences.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that apart from the confession, there is no other material to connect the petitioner with other accused and that there is no contraband seized from the petitioner. Hence the petitioner has satisfied the twin conditions under Section 37 of NDPS Act and prayed for grant of bail. He further submitted that the co-accused were released on bail vide order of this Court in Crl.O.P. Nos.31916 of 2024 and 382 & 395 of 2025.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and on instructions, confirmed the fact that the co-accused were released on bail, the petitioner has no bad antecedents and no



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contraband was seized from the petitioner.

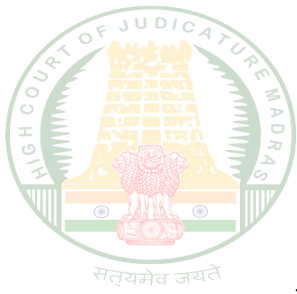
5. Considering the aforesaid facts, the nature of allegations against the petitioner, period of incarceration, the fact that the petitioner was arrested based on the confession of the co-accused, the petitioner has no bad antecedents, no contraband was seized from the petitioner, this Court is of the view that the petitioner has satisfied the twin conditions under Section 37 of NDPS Act and further custody of the petitioner is not required for the purpose of investigation. Hence, 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 **X Metropolitan Magistrate Court, Egmore, Chennai** 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 appear before the respondent Police Station daily at 10.30 a.m. until further orders;

[c] the petitioner shall not abscond either during



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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.

12.03.2025

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To

1. The X Metropolitan Magistrate Court, Egmore, Chennai.
2. The Inspector of Police, P-6 Kodungaiyur Police Station, Pulianthope, Chennai District.
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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