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Crl.O.P.No.3520 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2025

CORAM

THE HON'BLE Mr. JUSTICE SUNDER MOHAN

Crl.O.P.No.3520 of 2025

Prabhu @ Chittu Kuruvi

...Petitioners/A-4

Vs.

State rep. by
The Inspector of Police (Law & Order)
H-8, Thiruvotriyur Police Station
Chennai 600 019
Crime No.166 of 2025

...Respondent/Complainant

Criminal Original Petition filed under Section 482 of BNSS, 2023, to grant anticipatory bail to the petitioner/accused in the event of his arrest in Crime No.166 of 2025 on the file of the respondent police pending investigation.

For Petitioner : Mr.E.Ashok Kumar
For Respondent : Mr. Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(B), 29(1) of NDPS Act, 1985, on the file of the respondent police, seeks anticipatory bail.



Crl.O.P.No.3520 of 2025

2. It is the case of the prosecution that on a secret information, A-1 and A-2 was found to be in possession of 1.100 kgs. of ganja and on their confession, it was revealed that they had purchased ganja from A-3 and A-4, who in turn, purchased the contraband (ganja) from Andhra Pradesh.

3. The learned counsel for the petitioner would submit that the allegations levelled against the petitioner are false; the petitioner is implicated only on the confession of the co-accused; no contraband (ganja) was seized from him; and that, in all other cases pending against him, he is on bail and prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, on instructions, would submit that the petitioner has been implicated only on the confession of the co-accused; and that, nine previous cases are pending as against the petitioner and out of which, one case is under the NDPS Act, opposed the grant of anticipatory bail to the petitioner.

5. Considering the fact that in one previous case under NDPS Act, the petitioner is on bail; the petitioner was implicated only on the confession of the co-accused and no contraband was seized from him; and that custodial interrogation of the petitioner is not required for the purpose of investigation,



Crl.O.P.No.3520 of 2025

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

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Thiruvottiyur, 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:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar 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 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



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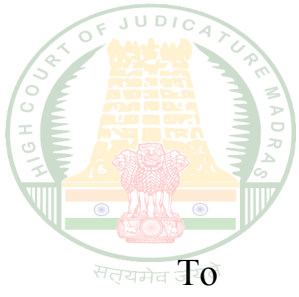
Crl.O.P.No.3520 of 2025

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* reported in [(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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27.02.2025



Crl.O.P.No.3520 of 2025

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1.The Judicial Magistrate
Thiruvottiyur, Chennai

2.The Inspector of Police (Law & Order)
H-8, Thiruvotriyur Police Station
Chennai 600 019

3.The Public Prosecutor
High Court of Madras



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Crl.O.P.No.3520 of 2025

SUNDER MOHAN,J.
gva

Crl.O.P.No.3520 of 2025

27.02.2025