



Crl.O.P.No.3730 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.3730 of 2025

Ragulraj

...Petitioner/Accused

Vs.

State through
The Inspector of Police,
P6, Kodungaiyur,
Chennai District.

(Crime No.804 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.804 of 2024 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Kasirajan

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



Crl.O.P.No.3730 of 2025

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ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 29.11.2024, seeking bail in Crime No.804 of 2024 registered for the offence under Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of NDPS Act.

2.It is the case of the prosecution that based on a secret information A1 and A2 were found in possession of 21.202 kgs of ganja and on the confession of A1 and A2, the petitioner is sought to be implicated. Hence, the case.

3.The learned counsel for the petitioner would submit that admittedly no recovery was made from the petitioner and that the only evidence available against the petitioner is confession statement of the co-accused and that the similarly placed accused were granted bail by this Court in Crl.O.P.Nos.32168 of 2024 and 799 & 1615 of 2025.



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4.Per contra, the learned Government Advocate (Crl. Side) reiterated the case of the prosecution and submitted that the petitioner sought to be implicated on the confession of co-accused and that no recovery was made from the petitioner and there is no previous case against the petitioner.

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, including counter affidavit.

6.It is seen that the co-accused were granted bail by this Court in Crl.O.P.Nos.32168 of 2024 and 799 & 1615 of 2025 by order dated 21.12.2024, 20.01.2025 and 24.01.2025 and that the petitioner is sought to be implicated based on the confession of co-accused and no recovery was made from the petitioner and the petitioner has no previous cases. Hence, this Court is of the view that the petitioner has satisfied the twin conditions required under Section 37 of the NDPS Act.

7.Considering the nature of allegations, period of incarceration and that the petitioner has satisfied the requirement of Section 37 of NDPS Act



and since further custody of the petitioner is not required for the purposes of interrogation, this Court this Court is inclined to grant bail to the petitioner with certain conditions.

8. 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 **Principal Special Judge for EC and NDPS Act Cases, 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 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;



Crl.O.P.No.3730 of 2025

[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.

17.02.2025

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Copy to:

1.The Inspector of Police,
P6, Kodungaiyur,
Chennai District.

2.The Principal Special Judge for EC and NDPS Act Cases, Chennai.

3.The Superintendent of Prison,
Central Prison, Puzhal, Chennai.

4.The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.3730 of 2025

SUNDER MOHAN, J.

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Crl.O.P.No.3730 of 2025

17.02.2025