



Crl.O.P.No.3913 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.3913 of 2025

1.Dhamodharan
2.Balaji

...Petitioners/Accused

Vs.

State through
The Inspector of Police,
H5, New Washermenpet Police Station.

(Crime No.85 of 2025)

...

Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.85 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.R.Mukesh Kannah

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



Crl.O.P.No.3913 of 2025

WEB COPY

ORDER

This Criminal Original Petition has been filed by the petitioners, who was arrested and remanded to judicial custody on 13.01.2025, seeking bail in Crime No.85 of 2025 registered for the offence under Sections 8(c) r/w 20(b)(ii)(B) and 29(1) of NDPS Act.

2.It is the case of the prosecution that the petitioners along with the other accused were found in illegal possession of 5.800 kgs of ganja. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case and that the contraband has been seized.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the case of the prosecution and submitted that the contraband has been seized and that there are eight previous cases against the second petitioner and three previous cases against the first petitioner.



WEB COPY

5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record, including counter affidavit.

6. Considering the nature of allegations, period of incarceration and the fact that the contraband seized was intermediate quantity and the petitioners are in bail in all other cases and since further custody of the petitioners is not required for the purposes of interrogation, this Court this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** each with **two sureties**, each for a like sum to the satisfaction of the **XV MM Court, George Town**, 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;



Crl.O.P.No.3913 of 2025

[b] the petitioners shall report before the respondent Police, every day at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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

ata



Crl.O.P.No.3913 of 2025

WEB COPY

Copy to:

- 1.The Inspector of Police,
H5, New Washermenpet Police Station.
- 2.The XV MM Court, George Town.
- 3.The Superintendent of Prison,
Central Prison II, Puzhal.
- 4.The Public Prosecutor,
High Court, Madras.



WEB COPY



CrI.O.P.No.3913 of 2025

SUNDER MOHAN, J.

ata

CrI.O.P.No.3913 of 2025

17.02.2025