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Crl.O.P.No.4198 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM

THE HON'BLE MR. JUSTICE **SUNDER MOHAN**

Crl.O.P.No.4198 of 2025

Ulaganadan

...Petitioner/Accused

Vs.

The Inspector of Police,
PEW, Adayar, Police Station,
(Crime No.4 of 2025)

...Respondent/Complainant

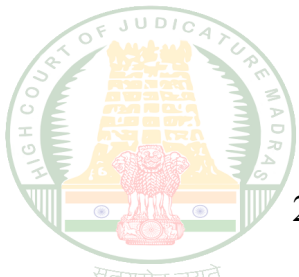
PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on anticipatory bail in Crime No.04/2025 pending on the file of the respondent police.

For Petitioner : Mr.Senthil Kumar

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

ORDER

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c) and 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substance Act, 1985, in Crime No.4 of 2025 on the file of the respondent police, seeks anticipatory bail.

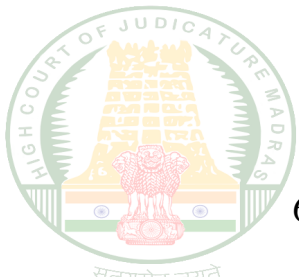


2. The case of the prosecution is that on secret information, A1 was found in possession of 10 kilos and 500 grams of Ganja and on the confession of A1, the petitioner sought to be implicated. Hence, the case.

3. Learned counsel for the petitioner would submit that the petitioner is innocent; that no contraband was seized from the petitioner, and that he sought to be implicated only on the confession of the co-accused and sought anticipatory bail for the petitioner.

4. Learned Government Advocate (Crl.Side) for the respondent police reiterated the prosecution case and submitted that the petitioner was implicated on the confession of the co-accused; that he along with A1 had purchased the contraband and sold the contraband in Chennai; and that the petitioner has two previous cases under the NDPS Act, which were registered in the years 2019 and 2022, and opposed the grant of anticipatory bail to the petitioner.

5. 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.



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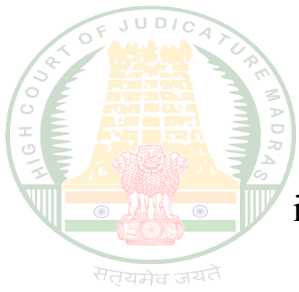
6. Considering the fact that the only evidence available against the petitioner is the confession of the co-accused, no contraband was seized from the petitioner, and since the previous cases are of the years 2019 and 2022, the custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 was made ready, before the learned **Seventeenth Metropolitan Magistrate, Saidapet**, 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 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



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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 of B.N.S.

18.02.2025

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To

- 1.The Seventeenth Metropolitan Magistrate, Saidapet,
- 2.The Inspector of Police,
PEW, Adayar, Police Station,
- 3.The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN,J.
dk

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