



Crl. O.P. No.4513 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4513 of 2025

S. Abhinand

... Petitioner/Accused

Vs.

The State represented by-

The Superintendent of Customs,
Prosecution Unit - Airport,
New Custom House, Meenambakkam,
Chennai-600 027.
(R.R. No.3 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the R.R. No.3 of 2025, pending on the file of the Special Court for Customs, Alandur.

For Petitioner : Mr.K. Prabhakaran
For Respondent : Mr. N.P. Kumar,
Special Public Prosecutor.

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 23.12.2024, seeking bail in R.R. No.3 of 2025, pending on the file of the Special Court for Customs, Alandur



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registered for the offences under Sections 8(c) read with 22(b), 23(b) and 28 of NDPS Act.

2. The case of the prosecution is that the petitioner was in illegal possession of 3.224 kgs of Ganja in his trolley bag.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent; that he has not at all involved in any offence as alleged by the prosecution; that he has been falsely implicated in this case; and that he is in judicial custody for a period of 52 days and hence prayed for grant of bail.

4. Learned Special Public Prosecutor appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner has no previous case and contraband was seized.

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.



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6. Considering the nature of allegations, period of incarceration, the fact that the contraband seized is intermediate quantity, the petitioner has no previous case and since further custody of the petitioner is not required for the purpose of investigation, 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 learned **Principal Sessions Special Court under NDPS Act at Chennai**.

[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, daily 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



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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.

24.02.2025

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To

1. The Principal Sessions Special Court under NDPS Act at Chennai.
2. The Superintendent of Customs, Prosecution Unit - Airport, New Custom House, Meenambakkam, Chennai-600 027.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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