



Crl.O.P.No.4566 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.4566 of 2025

1.Suresh
2.S.Gokul
3.N.Prakash
4.S.Jeeva

...Petitioners/Accused 3, 4, 6 & 8

Vs.

State through
The Inspector of Police,
V-5, Thirumangalam Police Station,
Chennai.

(Crime No.28 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.28 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.P.Srishar

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



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ORDER

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This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 22.01.2025, seeking bail in Crime No.28 of 2025 registered for the offence under Section 123 of BNS and Section 8(c), 20(b)(ii)(B), 29(1) and 25 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 1.300 kgs of ganja and 160 nos of Tydol tablets; that from the petitioners 20 Tydol tablets each were seized. Hence, the case.

3.The learned counsel for the petitioners would submit the petitioners are innocent; that only on the confession of A1, these petitioners are sought to be implicated in this case and the contraband seized from the petitioners is not a scheduled substance. Hence, he prays for the grant of bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated



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the prosecution case and submitted that the petitioners were implicated on the confession of A1; that the contraband seized is not a scheduled substance and that the 1st petitioner has one previous case and other petitioners have no previous cases against them.

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.

6.Considering the period of incarceration and the fact that the petitioners are sought to be implicated on the confession of A1, the 1st petitioner is on bail in the previous case and that no previous case is pending against the other petitioners, the contraband seized is not a scheduled substance and since further custody of the petitioners is not required, 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 **XIII Metropolitan Magistrate, Egmore, 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 petitioners shall report before the respondent Police, everyday 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



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under Section 269 B.N.S.

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Copy to:

- 1.The Inspector of Police,
V-5, Thirumangalam Police Station,
Chennai.
- 2.The XIII Metropolitan Magistrate, Egmore, Chennai.
- 3.The Superintendent of Prison,
Central Prison, Puzhal II, Chennai.
- 4.The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN, J.

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