



CrI. O.P. No.4816 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

CrI.O.P.No.4816 of 2025

1. Prakash @ Manda Prakash
2. Mathan
3. Surendar Prasad
4. Prabhakaran @ Dhandapani
5. Prakash Raj

... Petitioner/Accused

Vs.

The State represented by-

The Inspector of Police,
H-5 New Washermenpet Police Station,
New Washermenpet, Chennai-600 081.
(Cr. No.154 of 2025).

... Respondent

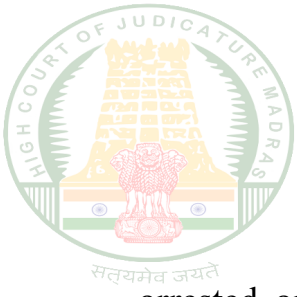
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Cr. No.154 of 2025, pending investigation on the file of the respondent police.

For Petitioner : Mr.C. Balaji

For Respondent : Mr. Leonard Arul Joseph Selvam
Government Advocate (Criminal side)

ORDER

This Criminal Original Petition has been filed by the petitioners, who were



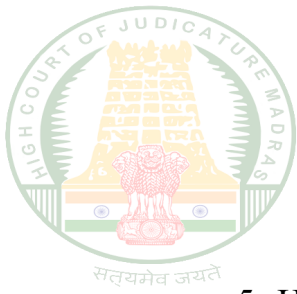
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arrested and remanded to judicial custody on 20.01.2025, seeking bail in Cr. No.154 of 2025, pending investigation on the file of the respondent police. registered for the offences under Sections 8(c) read with 20(b)(ii)(B), 29(1) of NDPS Act and Section 25(1-A) of Arms Act.

2. The case of the prosecution is that the petitioners were found in illegal possession of 1.200 kgs of Ganja for their personal gain.

3. Learned counsel appearing for the petitioners submitted that the allegations against the petitioners are false; that they are innocent; that they have not at all involved in any offence as alleged by the prosecution; that they have been falsely implicated in this case; and that they are in judicial custody for a period of one month and hence prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and on instructions, submitted that the petitioners have so many previous cases including murder cases, in which they are on bail and the contraband seized is intermediate quantity.



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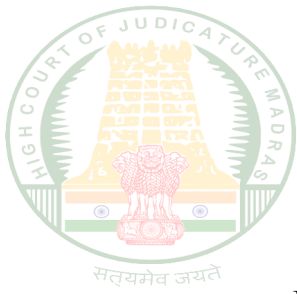
5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the nature of allegations, the fact that the contraband seized is intermediate quantity, the petitioners are on bail, in all other previous cases, no previous case of similar nature is pending, period of incarceration and since further custody of the petitioners is not required for the purpose of investigation, 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 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 **XV Metropolitan Magistrate, George Town, 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 petitioners shall report before the respondent



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Police, daily 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]***;

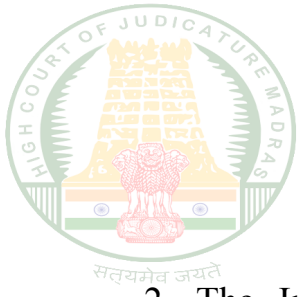
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

24.02.2025

mjs

To

1. The XV Metropolitan Magistrate, George Town, Chennai.



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2. The Inspector of Police, H-5 New Washermenpet Police Station, New Washermenpet, Chennai-600 081.
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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