



Crl. O.P. No.4906 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.4906 of 2025

Sathish S/o. Mani

... Petitioner/Accused-4

Vs.

The State represented by-

The Inspector of Police,
PEW R.K. Pet Police Station,
Chennai.
(Crime No.386 of 2024).

... Respondent

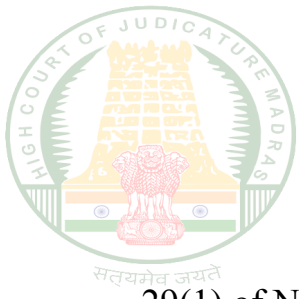
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.386 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Ms. R. Saritha

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 30.12.2024, seeking bail in Crime No.386 of 2024 registered for the offences under Sections 8(c), 20(b)(ii)(B) and



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29(1) of NDPS Act.

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2. The case of the prosecution is that on secret information, the accused were found in illegal possession of 15 kgs of Ganja.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent; that he has not at all involved in any offence; that he has been falsely implicated in this case and he is in judicial custody for more than one month; that no recovery was made from this petitioner; that contraband was seized and hence prayed for grant of bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner has one previous case registered under Section 379 of IPC; that the contraband was seized and no recovery was made from this petitioner and he is implicated based on the confession of the co-accused.

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, the fact that the contraband was seized, no recovery was made from this petitioner, the petitioner is on bail in other previous case registered under IPC, the petitioner is sought to be implicated based on the confession of the co-accused, period of incarceration 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 **District Munsif-cum-Judicial Magistrate, Pallipattu, Tiruvallur District.**

[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



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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 B.N.S.

24.02.2025

mjs

To

1. The District Munsif-cum-Judicial Magistrate, Pallipattu, Tiruvallur District.
2. The Inspector of Police, PEW R.K. Pet Police Station, Chennai.
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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