



Crl. O.P. No.4898 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4898 of 2025

Thanikaivel S/o. Munusamy

... Petitioner/Accused-4

Vs.

The State represented by-

The Inspector of Police,
P4 Basin Bridge Police Station,
Chennai.
(Crime No.18 of 2025).

... Respondent

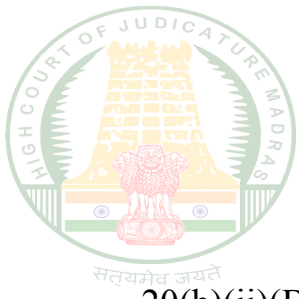
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.18 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. S. Mohan Raj

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 17.01.2025, seeking bail in Crime No.18 of 2025 registered for the offences under Sections 8(c) read with



Crl. O.P. No.4898 of 2025

20(b)(ii)(B) of NDPS Act.

2. The case of the prosecution is that the petitioner and three other accused persons were found to be in possession of 1 kg and 900 grams of ganja, in particular, 240 grams of ganja was recovered from this petitioner/A4.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in custody from 17.01.2025 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case. The learned Government Advocate further submitted that there are seven previous cases against the petitioner.

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.



Crl. O.P. No.4898 of 2025

WEB COPY

6. Considering the nature of allegations, the fact that the contraband seized is intermediate quantity, the petitioner is on bail in all other previous cases, the co-accused was already granted bail, 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 **X Metropolitan Magistrate, Egmore, 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;



Crl. O.P. No.4898 of 2025

WEB COPY

[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 X Metropolitan Magistrate, Egmore, Chennai.
2. The Inspector of Police, P4 Basin Bridge Police Station, Chennai.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



WEB COPY



Crl. O.P. No.4898 of 2025

SUNDER MOHAN., J.

mjs

Crl.O.P.No.4898 of 2025

24.02.2025