



WEB COPY

CRL OP No. 6874 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 6874 of 2025

FRANKLIN

Petitioner(s)

Vs

State Rep By The Inspector Of Police
PWE Tiruvallur Police Station,
Tiruvallur District.
Crime No. 51 Of 2024.

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 483 of BNSS to enlarge the petitioner on bail pending trial in connection with C.C.No. 639 of 2024 on the Principal Special Judge Under EC and NDPS Act at Chennai.

For Petitioner(s): Mr.A.Tamilselvan

For Respondent(s): Mr.R.Vinothraja, GA (Crl.side)

**ORDER**

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 08.02.2024, for the offences punishable under Sections 8(c), 20(b)(ii)(C), 29(1) of NDPS Act in connection with CC No.639 of 2024, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that on 08.02.2024, based on the secret information received, the respondent police conducted a search and found the petitioner along with others accused with illegal possession of 21 kgs 500 grams of ganja. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. The learned counsel further submitted that A2, A3, A4 and A5 in this case were arrested and released on bail and A6 has been granted anticipatory bail by this Court. Learned counsel further submitted that earlier the petitioner along with A2 and A3, moved bail application and this court had granted bail only to A2 and A3,

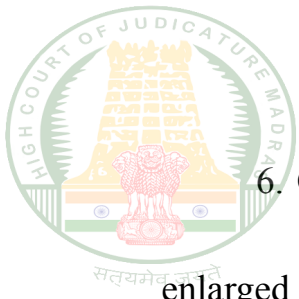


WEB COPY

and dismissed the bail petition as regard the petitioner stating that the petitioner was detained under Goodas Act. Subsequently, on 28.03.2025, this court had set aside the detention order passed by the second respondent on 03.09.2024 in BCDFGISSV No.35/2024, and the petitioner is suffering incarceration from 08.02.2024 and now he is ready to abide by any stringent condition 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 submitted that the petitioner was arrayed as A1 and the investigation was completed, charge sheet was also filed and the case is pending in C.C.No.639 of 2024 before the Principal Special Court under EC & NDPS Act, Chennai. Learned counsel also confirmed that the detention order passed against the petitioner was set aside by this Court on 28.03.2025. However, he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record



WEB COPY

6. Considering the facts and circumstances of the case, co-accused were enlarged on bail, submissions made by the learned counsels on either side, and the period of incarceration undergone by the petitioner, 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.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Principal Special Court Under EC & NDPS Act at Chennai** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;



WEB COPY



[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];

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

01-07-2025

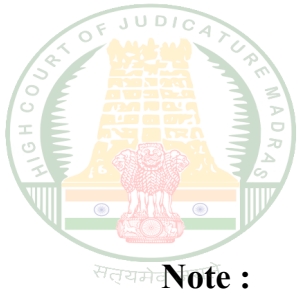
Jai

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



Note :

WEB COPY

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



To
WEB COPY

1. The Inspector Of Police
PWE Tiruvallur Police Station,
Tiruvallur District.
2. The Principal Special Court
Under EC & NDPS Act at
Chennai.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY

CRL OP No. 6874 of 2025



M.NIRMAL KUMAR J.

jai

**CRL OP No. 6874 of
2025**

01-07-2025