



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.5687 of 2025

Mathi @ Mathiyazhagan

...Petitioner/A3

Vs.

State, represented by
The Inspector of Police,
D-1, Triplicane Police Station,
Chennai District.
(Crime No.28 of 2025)

..Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner/Accused 3 on bail in Crime No.28 of 2025 on the file of the respondent police.

For Petitioner : Mr.P.Vishnu Prasad

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 20.01.2025, seeking bail in Crime No.28 of 2025 registered for the offence under Section 8(c), 20(b)(ii)(A), 22(b) & 29(1) of NDPS Act.



WEB COPY

2.The case of the prosecution is that the petitioner along with other accused were found to be in illegal possession of 44 tablets of Nitrovet and 200 grams of Ganja. Hence the case.

3.Learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in the case. He further submitted that the no seizure was made from the petitioner and that the petitioner is in custody from 20.01.2025. Hence, he prayed for grant of bail to the petitioner.

4.Per contra, learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case. He further submitted that the contraband has been seized and that one previous case is pending 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.



WEB COPY

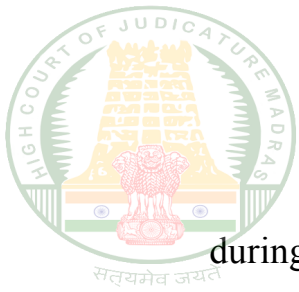
6.Considering the nature of allegation and the period of incarceration, the fact that the contraband has been seized and the petitioner is on bail in the other case and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the 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 **II 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 petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;



[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

WEB COPY

[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.

03.03.2025

rkp

Copy to:

- 1.The Inspector of Police,
D-1, Triplicane Police Station,
Chennai District.
- 2.Central Prison, Puzhal, Chennai.
- 3.The II Metropolitan Magistrate, Egmore, Chennai.
- 4.The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN, J.



WEB COPY

CrI.O.P.No.5687 of 2



rkp

CrI.O.P.No.5687 of 2025

03.03.2025