



Crl. O.P. No.6217 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6217 of 2025

Kannan S/o. Chinnayan

... Petitioner/Accused-3

Vs.

The State represented by-

The Inspector of Police,
S.H.O. P.E. Wing,
Cuddalore Police Station.
(Crime No.45 of 2025).

... Respondent

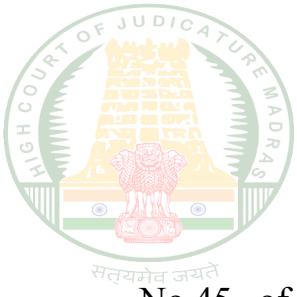
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleased to enlarge the petitioner on bail, in connection with the Crime No.45 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. S. Priyanka

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 04.02.2025, seeking bail in Crime



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No.45 of 2025 registered for the offence under Sections 8(c) read with 20(b)(ii)(A) of NDPS Act and under Section 123 of B.N.S.

2. The case of the prosecution is that based on secret information, the respondent police intercepted the accused 1 to 3, who were sitting in unregistered vehicles and seized 100 gms of Ganja and 89 tablets from A1 and A2 and arrested the accused; and that the petitioner was implicated on the confession statement of the co-accused.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that the petitioner has been implicated in this case, only based on the confession statement of the co-accused; that contraband has been seized only from the co-accused and no recovery is made from this petitioner; that one previous case registered under NDPS Act is pending against the petitioner, in which, he is on bail; and that in any case, further custody of the petitioner is not required and prayed that the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and confirmed that contraband has been



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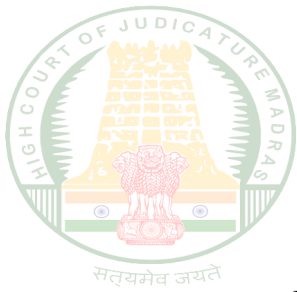
seized and; that based on the confession of the co-accused, this petitioner has been implicated.

5. Considering the aforesaid facts, nature of allegations, period of incarceration, the fact that the petitioner is on bail in other case registered under NDPS Act, contraband has been seized, no recovery is made from this petitioner and the petitioner is sought to be implicated, only based on the confession of the co-accused, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence 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 **Judicial Magistrate No.II, Cuddalore**.

[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



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Police, daily 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;

[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.

11.03.2025

mjs

To

1. The Judicial Magistrate No.II, Cuddalore.
2. The Inspector of Police, S.H.O. P.E. Wing, Cuddalore Police Station.
3. The Superintendent, Central Prison, Cuddalore.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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