



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.6712 of 2025

Vasudevan

...Petitioner/Accused No.4

Vs.

State rep. by
Inspector of Police,
Veeranam Police Station,
Salem District.
(Crime No.112 of 2025)

... Respondent

PRAYER: The Criminal Original Petition has been filed under Section 483 of BNSS to enlarge the petitioner/accused 4 on bail pending investigation in Cr.No.112 of 2025 on the file of the respondent police.

For Petitioner	:	Mr.C.R.Gokulvisvas
For Respondent	:	Mr.Leonard Arul Joseph Selvam Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 09.02.2025, seeking bail in Crime No.112 of 2025 registered for the offence under Sections 8(c) r/w 20(b)(ii)(A) and 29(1) of NDPS Act, 1985 and Section 77 of JJ Act, 2015.



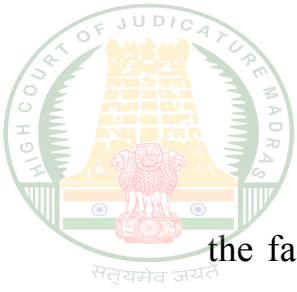
2.The case of the prosecution is that the first accused was found in illegal possession of 36 grams of Ganja. Hence the case.

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3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent; that the contraband was seized and the petitioner sought to be implicated based on confession of co-accused and since custodial interrogation of the petitioner is not required for the purpose of investigation, he sought for grant of bail.

4.Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the contraband has been seized from the petitioner and the petitioner has no bad antecedents.

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.



6.Considering nature of allegation and the period of incarceration and the fact that the petitioner sought to be implicated based on confession of co-accused and the petitioner has no bad antecedents, 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 his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** each with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate No.IV, Salem** 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 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.

10.03.2025

rkp

Copy to:

- 1.The Inspector of Police,
Veeranam Police Station, Salem District.
- 2.Central Jail, Salem.
3. The Judicial Magistrate No.IV, Salem.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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