



Crl. O.P. No.6583 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6583 of 2025

Mohanbabu

... Petitioner/Accused-1

Vs.

The State represented by-

The Inspector of Police,
C1, Sriperumbudur Police Station,
Kancheepuram District.
(Crime No.11 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.11 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.ML.Satish Kumar

For Respondent : Mr. Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



Crl. O.P. No.6583 of 2025

WEB COPY

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 06.01.2025, seeking bail in Crime No.11 of 2025 registered for the offence under Sections 8(c), 20(b)(ii)(B), 29(1) & 25 of NDPS Act.

2. The case of the prosecution is that on a secret information, the respondent and their officials went to the scene of occurrence and found the petitioner and other accused selling Ganja near Mannur Arikarai Kaapukkadu; that the respondent seized 2.200 Kgs of ganja from the petitioners. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the allegation against the petitioner is false; that the total quantity of contraband seized, is an intermediate quantity; that similarly placed co-accused were already granted bail by this Court in Crl.O.P. No.4279 of 2025 dated 19.02.2025 and he may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent



Crl. O.P. No.6583 of 2025

police reiterated the prosecution case and filed counter affidavit and confirmed the aforesaid facts and also submitted that the contraband has been seized and the petitioner has five previous cases out of which, one case is under NDPS Act.

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 the aforesaid facts, nature of allegations, period of incarceration and the fact that though petitioner has five previous cases, he is on bail in all those cases and the co-accused were released on bail vide order passed in Crl.O.P. No.4279 of 2025 dated 19.02.2025, 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, Sriperumbudur.**



Crl. O.P. No.6583 of 2025

WEB COPY

[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.

07.03.2025

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Crl. O.P. No.6583 of 2025

WEB COPY

To

1. The Judicial Magistrate, Sriperumbudur.
2. The Inspector of Police,
C1, Sriperumbudur Police Station,
Kancheepuram District.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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Crl. O.P. No.6583 of 2025

SUNDER MOHAN., J.

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Crl.O.P.No.6583 of 2025

07.03.2025