



Crl. O.P. No.6498 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.6498 of 2025

Hariharan

... Petitioner/Accused-5

Vs.

The State represented by-

The Inspector of Police,
Veeranam Police Station,
Salem District.
(Crime No.112 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.112 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Ms.S.Sengkodi

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



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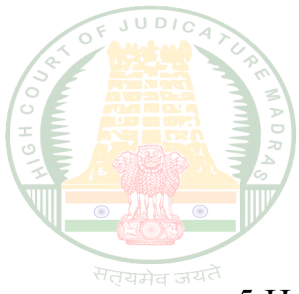
ORDER

This 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), 29(1) of NDPS Act and Section 77 of JJ Act, 2015.

2. The case of the prosecution is that the petitioner along with others were found in illegal possession of 36 grams of ganja. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent and the allegations are false; that the petitioner is falsely implicated and that he has no bad antecedents. He further submitted that the contraband seized is small quantity and that the petitioner is in custody from 09.02.2025. 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 and submitted that the contraband has been seized and the petitioner has no bad antecedents.



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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 nature of allegations, period of incarceration, the fact that the contraband has been seized is small quantity, and that he has no bad antecedents 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 learned **Judicial Magistrate No.IV, Salem.**

[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;



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[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

rkp
To

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



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SUNDER MOHAN., J.

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