



Crl. O.P. No.6704 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6704 of 2025

Santhoshkumar @ Kulla Santhosh, M/A-23
S/o. Vijayakumar,
33/260, Bajaraja Nagar 2nd Street,
Old Washermenpet,
Chennai 600 021

... Petitioner/Accused-3

Vs.

The State of Tamil Nadu represented by
The Inspector of Police,
H-1, Washermenpet Police Station
(Crime No.957 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to
enlarge the petitioner on bail, in connection with the Crime No.957 of 2024,
pending investigation on the file of the respondent Police.

For Petitioner : Ms.R. Saritha

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



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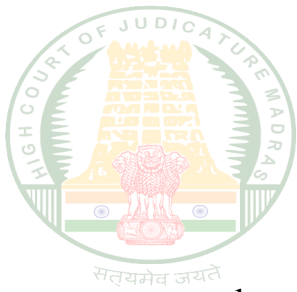
ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 24.01.2025, seeking bail in Crime No.957 of 2024 registered for the offences under Sections 8(c) r/w 20(b) (ii) (B) and 29(1) of NDPS Act.

2. The case of the prosecution is that based on secret information, the respondent police intercepted the accused 1 to 3 and seized 1.200 grams of Ganja from them and arrested the accused.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that no contraband has been seized from the petitioner; that only based on the confession of A1 and A2 the petitioner had been detained; 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 on instructions, submitted that



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contraband has been seized; that if the petitioner is let on bail, there is a possibility of absconding and also the possibility of tampering the evidence and hence he vehemently opposed to grant of bail to the petitioner.

5. Considering the fact that the previous cases registered against the petitioner are under IPC and he is on bail on those cases, the contraband seized from the co-accused is an intermediate quantity and no contraband was seized from the petitioner and the similarly placed co-accused are released on bail, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 **Metropolitan Magistrate XV, George Town, Chennai.**

[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;



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[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.

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To

1. The Metropolitan Magistrate XV, George Town, Chennai.
2. The Inspector of Police,
H-1, Washermenpet Police Station
(Crime No.957 of 2024).
3. The Superintendent of Police, Central Jail, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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