



Crl.O.P.No.7001 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 22.04.2025

PRONOUNCED ON : 29.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7001 of 2025

Sathiyaseelan @ Sathish

... Petitioner/A5

Vs.

State Rep. by

The Inspector of Police,

K-8, Arumbakkam Police Station, Chennai. ... Respondent/Complainant

[Cr.No.613 of 2024]

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the case in Cr.No.613 of 2024 on the file of the respondent.

For Petitioner : Mr.C.M.Ramakrishnan

For Respondent : Ms.J.R.Archana
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 03.01.2025 seeking bail in connection with the case in Cr.No.613 of 2024 registered for the offence under



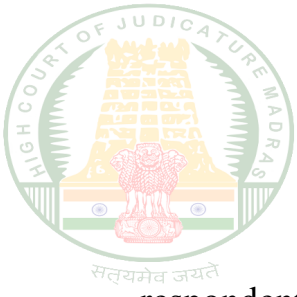
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Sections 8(c), 22(c), 25 & 29(1) of NDPS Act, 1985.

2. The case of the prosecution is that A1 and A2 were found in illegal possession of 14.900 kgs and 13.500 kgs of Ketamine respectively; that on their confession statement, A3 was arrested who was found in possession of 10.010 kgs of ketamine and A4 was found in possession of 1.388 kgs of Methamphetamine and 4.951 kgs of suspected contraband along with pistol; that their confession revealed that they have purchased the said contraband from A7 and A8. The petitioner herein is arraigned as A5 in this case on the confession of the co-accused.

3. The learned counsel for the petitioner submitted that the allegations are false; that no recovery of contraband was made from the petitioner; that he is sought to be implicated as accused based on the confession of the co-accused; that apart from the confession statement, there is no material to connect him with the other accused; that similarly placed co-accused/A7 & A8 were released on bail; and that the petitioner is in custody from 03.01.2025 and hence, prayed for grant of bail.

4. The learned Government Advocate (Crl.Side) appearing for the



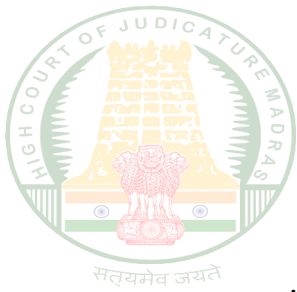
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respondent police while opposing the grant of bail to the petitioner, reiterated the prosecution case and on instructions, submitted that the petitioner was implicated only on the confession of the co-accused and the petitioner has no bad antecedents and co-accused/A7 & A8 were granted bail by this Court vide order dated 28.03.2025 in Crl.OP.Nos.7150 & 7394 of 2025.

5. Admittedly, no contraband was seized from the petitioner. Apart from the confession of the co-accused, there is no other material to connect the petitioner with the other accused. The petitioner has no bad antecedents. Hence, this Court is of the view that the petitioner has satisfied the twin conditions under Section 37 of the NDPS Act.

6. Therefore, considering the period of incarceration, the fact that the similarly placed co-accused were released on bail and since further custody is not required for the purpose of interrogation, 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 condition to execute a bond for a sum of **Rs.15,000/-** (*Rupees Fifteen Thousand only*) with



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two sureties each for a like sum to the satisfaction of the **learned Principal Special Judge, Principal Special Court under EC & NDPS Act, Chennai** and on further conditions that:-

(a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(b) the petitioner report before the respondent police daily at 10.30 a.m., until further orders;

(c) the petitioner shall not commit any offences of similar nature;

(d) the petitioner shall not abscond either during investigation or trial;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Judicial 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]***;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC; and



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SUNDER MOHAN., J.

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To

- 1.The Principal Special Judge, Principal Special Court under EC & NDPS Act, Chennai.
- 2.The Inspector of Police, K-8, Arumbakkam Police Station, Chennai.
- 3.The Superintendent of Prison, Central Prison, Puzhal-II, Chennai.
- 4.The Public Prosecutor, High Court, Madras.

Pre-delivery order
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29.04.2025