



Crl.O.P.No.6992 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6992 of 2025

Siva Sankar

... Petitioner/A11

Vs.

The State represented by,
The Inspector of Police,
N-2 Kasimedu Police Station,
Chennai.
(Crime No.62 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.62 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.T.Balaji

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

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.62 of 2025 registered for the offence under Sections 8(c), 20(b)(ii)(B), 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 25(1B)(a) of Arms Act, 1959.



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2. The case of the prosecution is that the petitioner along with other accused was found to be in illegal possession of 1.200 kgs of ganja. Hence the case.

3. Learned counsel appearing for the petitioner submitted that there is no seizure from the petitioner; that petitioner sought to be implicated based on the confession of the other accused; and in any case, petitioner is in custody from 24.01.2025 and hence the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution case and submitted that the petitioner has one previous case under IPC and also confirmed the fact that no seizure was made from the petitioner.

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 fact that no seizure was made from the petitioner and that the rigors of Section 37 of NDPS Act would not be applicable since the



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intermediate quantity was seized from the accused; the fact that the petitioner is sought to be implicated based on the confession of the other accused; that the petitioner is on bail in other case; and since further custody 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 **XVI Metropolitan Magistrate Court.**

[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, everyday 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;



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[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.

12.03.2025

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To

1. XVI Metropolitan Magistrate Court.
2. The Inspector of Police,
N-2 Kasimedu Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

Sma

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