



Crl. O.P. No.6942 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6942 of 2025

R. Jothishwar S/o.Rajasekar

... Petitioner/Accused

Vs.

The State represented by-

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

... Respondent

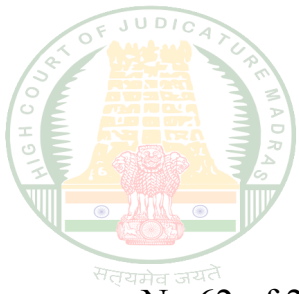
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleased to enlarge the petitioner on bail, in connection with the Crime No.62 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. S. Jayakumar

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



Crl. O.P. No.6942 of 2025

No.62 of 2025 registered for the offences under Sections 8(C), 20(b)(ii)(B), 29(1) of NDPS Act and Section 25(1B)(a) of Arms Act.

2. The case of the prosecution is that based on secret information, the respondent police found the accused with illegal possession of 1.200 kgs of Cannabis and that the contraband was seized.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that contraband has been seized; 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 the quantity of contraband, involved in this case is an intermediate quantity and the same has been seized; that co-accused were arrested and released on bail; and that the petitioner has no bad antecedent.

5. Considering the aforesaid facts, nature of allegations, period of incarceration, the fact that the petitioner has no bad antecedents, the quantity of



Crl. O.P. No.6942 of 2025

contraband involved in this case is an intermediate quantity and the same has been seized and the co-accused were released on bail, 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.

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 **XVI Metropolitan Magistrate, 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;

[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;



Crl. O.P. No.6942 of 2025

WEB COPY

[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.

11.03.2025

mjs

To

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



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Crl. O.P. No.6942 of 2025

SUNDER MOHAN., J.

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Crl.O.P.No.6942 of 2025

11.03.2025



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Crl. O.P. No.6942 of 2025