



Crl. O.P. No.6979 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.6979 of 2025

Pachi @ Baskar S/o. Samynadhan

... Petitioner/Accused-2

Vs.

The State represented by-

The Inspector of Police,
K-8 Arumbakkam Police Station,
Chennai.
(Crime No.492 of 2024).

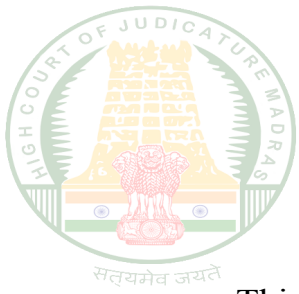
... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.492 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr. D. Jaisankar

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

ORDER



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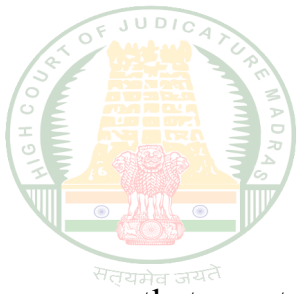
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This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 09.02.2025, seeking bail in Crime No.492 of 2024 registered for the offence under Sections 8(c) read with 20(b)(ii)(B) of NDPS Act and Section 25(1A) of Arms Act.

2. The case of the prosecution is that based on secret information, the respondent police found that A1 was in illegal possession of 3 kgs of Ganja and the petitioner was implicated on the confession of the co-accused.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that the contraband has been seized; that no recovery was made from this petitioner 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 contraband involved in this case is an intermediate quantity; that the petitioner is sought to be implicated based on the confession of the co-accused; and confirmed



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that contraband has been seized and; that though the petitioner has bad antecedents, he is on bail in those cases.

5. Considering the aforesaid facts, nature of allegations, period of incarceration, the fact that the petitioner is on bail in the other cases, contraband has been seized, no recovery was made from this petitioner, the petitioner has been implicated only based on the confession of the co-accused and the co-accused were granted 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.

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 **V Metropolitan Magistrate, Egmore, 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



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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;

[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 V Metropolitan Magistrate, Egmore, Chennai.
2. The Inspector of Police, K-8 Arumbakkam Police Station, Chennai.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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