



Crl.OP.No.7586 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 17.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7586 of 2025

Magesh

...Petitioner

Vs.

The State rep by
The Inspector of Police,
F-1,Chindadripet Police Station,
Chennai 600 002.
(Crime No.93 of 2025)

.. Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.93 of 2025 pending investigation on the file of the respondent police.

For Petitioner : M/s.S.L.Venkatesan

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 16.02.2025, seeking bail



Crl.OP.No.7586 of 2025

in Crime No.93 of 2024 registered for the offence under Sections 8(c),
20(b)(ii)(B), 22(b), 25 and 29(1) of NDPS Act, 1985

2. The case of the prosecution is that the co-accused was found in illegal possession of 3.500 kgs of Ganja and 200 Nos. of Nitrazepam Tablets 100 nos. of Nitrosun Tablet and based on the confession of co-accused, the petitioner was arrested and found in possession of 50 Nos. of Nitrazepam Tablets.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he is sought to be implicated on the confession of co-accused; that the 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.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the petitioner has no bad antecedents.



WEB COPY 5. Considering the nature of allegations, period of incarceration, the petitioner is sought to be implicated on the confession of the co-accused, the fact that the contraband seized from the petitioner is intermediate quantity, and since further custody of the petitioner is not required for the purpose of investigation, 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 Principal Special 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 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



Crl.OP.No.7586 of 2025

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.

17.03.2025

Index : Yes / No
Internet : Yes / No
dpa



CrI.OP.No.7586 of 2025

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To

1.The Inspector of Police,
F-1,Chindadripet Police Station,
Chennai 600 002.

2.The learned Principal Special under EC & NDPS Act,
Chennai

3.The Superintendent of Prison,
Central Prison, Puzhal.

4.The Public Prosecutor,
High Court, Madras.



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Crl.OP.No.7586 of 2025

SUNDER MOHAN, J.

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Crl.O.P.No.7586 of 2025

17.03.2025