



Crl.OP.No.7768 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 17.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.7768 of 2025

Sabin Zachariah

...Petitioner

Vs.

The State rep by
The Inspector of Police,
PEW St. Thomas Mount (South) Police Station,
Chennai District.
(Crime No.34 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.34 of 2025 pending investigation on the file of the respondent police.

For Petitioner : M/s.Senthil Kumar

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



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ORDER

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This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 13.02.2025, seeking bail in Crime No.34 of 2025 registered for the offence under Sections 8(c), r/w 20(b)(ii)(B), of NDPS Act 1985.

2. The case of the prosecution is that the petitioner was found in illegal possession of 8 kgs of Ganja.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case; that in any case, further custody of the petitioner is not required for the purpose of investigation and hence prayed for grant of bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the contraband has been seized; that the petitioner has no bad antecedents.

5. Considering the nature of allegations, period of incarceration, the



contraband has been seized, the petitioner has no bad antecedents, 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 **XVII Metropolitan Magistrate Court, Saidapet**, and on further conditions that:

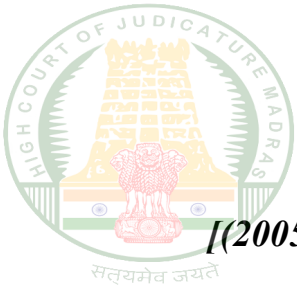
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[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 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***



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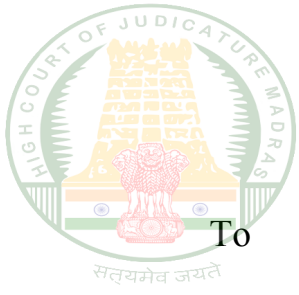
[(2005)AIR SCW 5560];

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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

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Index : Yes / No
Internet : Yes / No
dpa



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To

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- 1.The Inspector of Police,
PEW St. Thomas Mount (South) Police Station,
Chennai District.
- 2.The XVII Metropolitan Magistrate Court,
Saidapet.
- 3.The Superintendent of Prison,
Central Prison, Puzhal.
- 4.The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN , J.



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