



Crl.OP.No.7716 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.7716 of 2025

Parthiban

...Petitioner

Vs.

The State rep by
The Inspector of Police,
E-5, Sholavaram Police Station,
Chennai District.
(Crime No.105 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.105 of 2025 pending investigation on the file of the respondent police.

For Petitioner : M/s.Santhosh P

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 17.02.2025, seeking bail



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in Crime No.105 of 2025 registered for the offence under Sections 8(c) r/w

20(b)(ii)(B), 29(1) of NDPS Act, 1985

2. The case of the prosecution is that the co-accused was found in illegal possession of 3 kgs of Ganja and based on the confession of co-accused, the petitioner was arrested.

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 from the co-accused 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 there are previous cases against the petitioner and he is on bail in those cases.



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5. Considering the nature of allegations, period of incarceration, the petitioner is sought to be implicated on the confession of the co-accused, no contraband was seized from the petitioner, the petitioner is on bail in the other cases, 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 Judicial Magistrate Court-II, Ponneri** 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;



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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.

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Index : Yes / No

Internet : Yes / No

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To

- 1.The Inspector of Police,
E-5, Sholavaram Police Station,
Chennai District.
- 2.The Magistrate Court-II, Ponneri
- 3.The Superintendent of Prison,
Central Prison, Puzhal.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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