



Crl. O.P. No.8061 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.8061 of 2025

Dinesh Kumar

... Petitioner/Accused-2

Vs.

The State represented by-

The Inspector of Police,
Tiruppur North Police Station,
Tiruppur District.
(Crime No.216 of 2025)

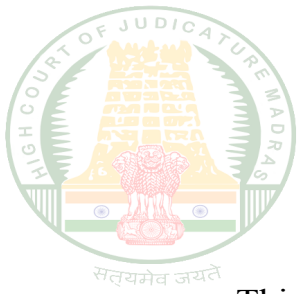
... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.216 of 2025, pending investigation on the file of the The Inspector of Police, Tiruppur North Police Station, Tiruppur District.

For Petitioner : Mr.S.Silambu Selvan

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

ORDER



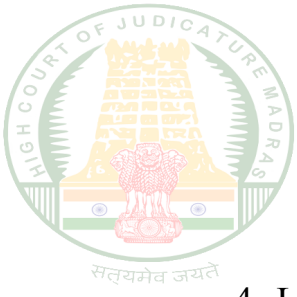
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This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 13.02.2025, seeking bail in Crime No.166 of 2025 registered for the offence under Sections 8(c) r/w 22(b), 27(a) and 29(1) of NDPS Act, 1985.

2. The case of the prosecution is that the petitioner/A2 along with other accused were found in joint possession of 9 grams of Methamphetamine. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that no recovery of contraband was made from the petitioner and he sought to be implicated as an accused based on the confession of the co-accused; that the contraband seized from the co-accused is an intermediate quantity; and that in any case, further custody of the petitioner is not required for the purpose of investigation and hence prayed for grant of bail.



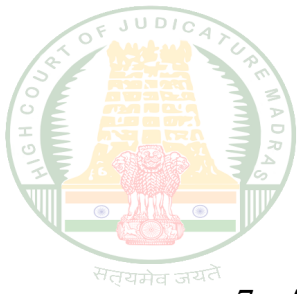
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4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner is sought to be implicated as an accused based on the confession statement of co-accused; that the contraband was seized and the petitioner has no bad antecedents.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the nature of allegations, period of incarceration, the fact that no recovery was made from this petitioner and contraband was seized from co-accused and based on the confession of co-accused, the petitioner is sought to be implicated as an accused; that the contraband seized is only an intermediate quantity, 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.



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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 **Additional District Judge, Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore.**

[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;

[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];***



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

19.03.2025

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To

1. The Additional District Judge, Presiding Officer,
Special Court for Essential Commodities Act Cases, Coimbatore.
2. The Inspector of Police,
Tiruppur North Police Station,
Tiruppur District.
3. The Superintendent, Central Prison, Coimbatore.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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