



Crl.O.P.No.8915 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 26.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.8915 of 2025

A. Ramkumar Raju

... Petitioner/ Accused No.17

Vs.

The State Rep. By,
The Inspector of Police,
Choolaimedu Police Station,
Chennai. (Crime No.37 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.37 of 2025, pending investigation on the file of the respondent.

For Petitioner : Mr. P. Divakar

For Respondent : M/s. J. R. Archana
Government Advocate (Crl. Side)



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CrI.O.P.No.8915 of 2025

ORDER

Petition seeking bail in respect of Crime No.37 of 2025 registered for the alleged offences punishable under Sections 8(c) read with 22(b) and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985 @ under Sections 8(c) read with 22(b), 25 and 29(1) of NDPS Act, 1985, is on board for consideration.

2. The case of the prosecution is that originally A1 was arrested and he was found in possession of 2.11 grams of cocaine; that he had confessed that he purchased the contraband from A2, A3, A8 and A9; that based on the A1's confession statement, the petitioner and other accused were arrested. The further case of the prosecution is that the petitioner/ A17 was in possession of 1 gram of OG ganja. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case, based on the confession of A1 and he has not committed any offence as alleged by the prosecution; that the petitioner has been arrested and remanded to judicial



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custody on 25.02.2025; that the co-accused were granted bail by this Court vide order dated 27.02.2025 in Crl.O.P.Nos.4635, 4815, 4998, 5228 and 5399 of 2025. The learned counsel for the petitioner further submitted that there was no conspiracy or joint possession; that the alleged possession is either of intermediate quantity or small quantity and prayed for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and on instruction submitted that there are totally 20 accused in this case and the petitioner is arrayed as A17; that the petitioner has no bad antecedents; that 1 gram of OG ganja was seized from the petitioner; and that the investigation is pending.

5. Taking into consideration the facts and circumstances of the case, considering the nature of allegation against the petitioner, the submissions made by the learned counsels on either side, the fact that the petitioner has no bad antecedents, the contraband seized is of small quantity, considering the period of incarceration undergone by the petitioner 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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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 **Principal Special Court for EC & NDPS Act at Chennai** and on further conditions that:

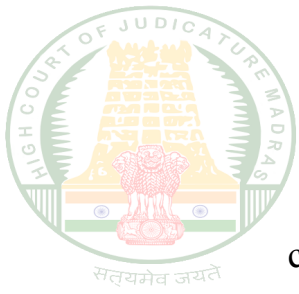
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police, twice a week i.e., on every **Monday and Friday 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



CrI.O.P.No.8915 of 2025

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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 of B.N.S.

26.03.2025

stn

To

1. The Principal Special Judge,
Principal Special Court for EC & NDPS Act, Chennai.
2. The Inspector of Police,
Choolaimedu Police Station,
Chennai. (Crime No.37 of 2025)
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.8915 of 2025

SUNDER MOHAN, J.

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Crl.O.P.No.8915 of 2025

26.03.2025