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Crl.O.P.No.8959 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.8959 of 2025

Lakshmanan

... Petitioner/ Accused No.1

Vs.

The State Rep. By,
The Inspector of Police,
NIBCID Kancheepuram,
Chennai. (Crime No.04 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.04 of 2025, pending investigation on the file of the respondent.

For Petitioner : Mr. P. Santhosh

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



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CrI.O.P.No.8959 of 2025

ORDER

Petition seeking bail in respect of Crime No.04 of 2025 registered for the alleged offences punishable under Sections 8(c), r/w 20(b)(ii)(B) and 29(1) of NDPS Act, 1985, is on board for consideration.

2. The case of the prosecution is that based on a secret information, the respondent police went to the spot and found that the petitioner along with other accused were in illegal possession of 12 kilograms of ganja. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent, he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution; that the petitioner has been arrested and remanded to judicial custody on 31.01.2025; that the alleged possession is of intermediate quantity; and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and ready to co-operate for the investigation and prayed for bail to the petitioner.



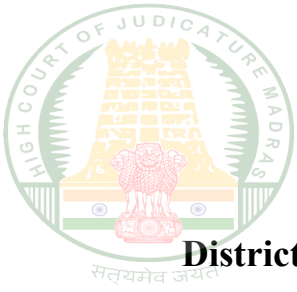
Crl.O.P.No.8959 of 2025

WEB COPY

4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and on instruction submitted that there are totally 2 accused in this case and the petitioner is arrayed as A1; that petitioner and other accused were in joint possession of 12 kilograms of ganja; that the petitioner has three previous cases, out of which 2 cases are under IPC and one case under NDPS; 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 is on bail in all the other cases, the contraband seized is of intermediate quantity, 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.

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**



District Munsif cum Judicial Magistrate, Gummidipoondi 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 [(2005)AIR SCW 5560]***;



CrI.O.P.No.8959 of 2025

[f] If the accused thereafter absconds, a fresh FIR can

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26.03.2025

stn

To

1. The District Munsif cum Judicial Magistrate,
Gummidipoondi.
2. The Inspector of Police,
NIBCID Kancheepuram,
Chennai. (Crime No.04 of 2025)
3. The Superintendent,
Puzhal Central Prison, Chennai.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.8959 of 2025

SUNDER MOHAN, J.

stn

Crl.O.P.No.8959 of 2025

26.03.2025