



Crl. O.P. No.9025 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.9025 of 2025

Madhan

... Petitioner/Accused-4

Vs.

The State represented by-

The Inspector of Police,
H8, Thiruvottiyur Police Station,
Chennai.
(Crime No.372 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.372 of 2025 pending investigation on the file of the respondent Police.

For Petitioner : Mr.E.Kannadasan

For Respondent : Ms.J.R.Archana
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 01.03.2025, seeking bail in Crime No.372 of 2025 registered for the offence under Sections 8(c) r/w 22(b), 25 & 29(1) of NDPS Act, 1985.



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2. The case of the prosecution is that the petitioner along with other accused was found in possession of 36 grams of Methamphetamine, which is intermediate quantity.

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 similarly placed co-accused was granted bail by this Court in Crl.O.P. Nos.6438 & 8696 of 2025 and that the petitioner is in custody from 01.03.2025 and hence prayed for grant of bail.

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.



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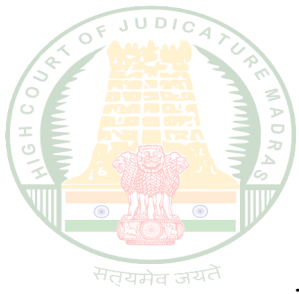
5. Considering the nature of allegations, period of incarceration, the fact that no recovery was made from this petitioner and contraband was seized from co-accused and based on their confession, the petitioner is sought to be implicated as an accused; that the contraband seized is only a intermediate quantity and the fact that similarly placed co-accused was granted bail by this Court in Crl.O.P. No.6438 of 2025 dated 12.03.2025 & Crl.O.P. No.8696 of 2025 dated 24.03.2025 and 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 learned **Judicial Magistrate, Thiruvottiyur.**

[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



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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]***;

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

27.03.2025

rkp

To

1. The Judicial Magistrate, Thiruvottiyur.
2. The Inspector of Police,
H8, Thiruvottiyur Police Station,
Chennai.
3. The Superintendent, Central Prison, Puzhal.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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