



Crl.OP.No.9047 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.9047 of 2025

Hussain

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
D-1, Triplicane Police Station,
Chennai.

(Crime No.114 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS,
pleased to enlarge the petitioner on bail, in connection with the Crime
No.114 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : M/s.M.Thiyagarajan

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 25.02.2025, seeking bail in
Crime No.114 of 2025 registered for the offence under Sections 8(c) r/w
20(b)(ii)(B) & 29(1) of NDPS Act, 1985.



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2. The case of the prosecution is that the petitioner along with the other accused was found in illegal possession of 2 kilograms of Ganja.

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. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that there is one previous case pending against the petitioner.

5. Considering the nature of allegations, period of incarceration, the petitioner is sought to be implicated on the confession of the co-accused, the contraband seized from the co-accused was a intermediate quantity 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 **learned II Metropolitan Magistrate, Egmore, 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, 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



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as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala***

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[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
dpa



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- To
- 1.The Inspector of Police,
D-1, Triplicane Police Station,
Chennai.
 - 2.The learned II Metropolitan Magistrate,
Egmore, Chennai.
 - 3.The Superintendent of Prison,
Central Prison, Puzhal.
 - 4.The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN , J.

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