



Crl.OP.No.9041 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.9041 of 2025

Suresh @ Tharagusuresh

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
PEW, Salem City Police Station,
Salem District.
(Crime No.14 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.14
of 2025, pending investigation on the file of the respondent Police.

For Petitioner : M/s.W.Camyles Gandhi

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 18.01.2025, seeking bail in Crime No.14 of 2025 registered for the offence under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act, 1985.



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2. The case of the prosecution is that petitioner along with other accused was found in illegal possession of 1.200 kilograms of Ganja.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and the petitioner is in custody from 18.01.2025 that in any case, further custody of the petitioner is not required and prayed for the grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that there are 6 previous cases pending against the petitioner, out of which 2 NDPS cases.

5. Considering the nature of allegations, period of incarceration, the fact that the contraband seized 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 **Judicial Magistrate No.VI, Salem**, and on further conditions that:

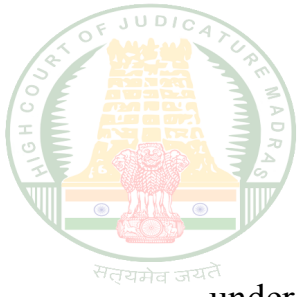
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[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]***;



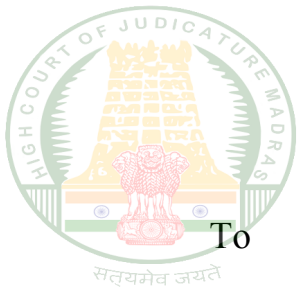
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[f] If the accused thereafter absconds, a fresh FIR can be registered
under Section 269 B.N.S.

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Index : Yes / No
Internet : Yes / No
dpa



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To

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1.The Inspector of Police,
PEW, Salem City Police Station,
Salem District.

2.The Judicial Magistrate No.VI
Salem.

3.The Superintendent of Prison,
Central Prison, Salem.

4.The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN , J.
dpa



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