



WEB COPY

Crl. O.P. No.9979 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.9979 of 2025

Kamaraj

... Petitioner/Accused-4

Vs.

The State represented by-

Rep. By The Inspector of Police,
J1, Saidapet Police Station,
Saidapet, Chennai.
(Crime No.79 of 2025)

... Respondent

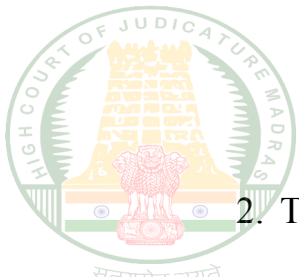
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.79 of 2025 pending investigation on the file of the respondent Police.

For Petitioner : Mr.K.Madhan

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 08.03.2025, seeking bail in Crime No.79 of 2025 registered for the offences under Sections 8(c) r/w 22(b), 29(1) & 25 of the NDPS Act, 1985.



2. The case of the prosecution is that the accused 1 & 2 were found in illegal possession of 6 grams of methamphetamine for sale; that confession statement of the accused 1 & 2 revealed that the petitioner was also involved in the said offence. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that the contraband seized was not recovered from the petitioner and he is sought to be implicated as an accused based on the confession of the co-accused; and that the petitioner is in custody from 08.03.2025 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 on the confession statement of co-accused; that the contraband seized was not from the petitioner and the petitioner has no bad antecedents.

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; 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 **IX Metropolitan Magistrate, Saidapet at Chennai.**

[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 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.

03.04.2025

rkp



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SUNDER MOHAN., J.

rkp

To

- 1.The IX Metropolitan Magistrate, Saidapet, Chennai.
- 2.The Inspector of Police,
J-1, Saidapet Police station,
Saidapet, Chennai.
3. The Superintendent, Central Prison, Puzhal.
4. The Public Prosecutor, High Court of Madras.

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