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Crl. O.P. No.10334 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10334 of 2025

Gunasekar S/o. Nagarajan

... Petitioner/Accused

Vs.

The State represented by-

The Inspector of Police,
P-4 Basin Bridge Police Station,
Chennai.

(Crime No.158 of 2025).

... Respondent

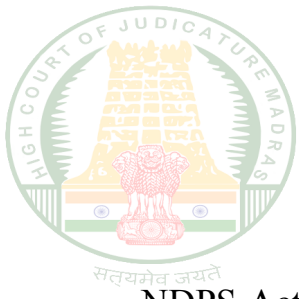
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.158 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. B. Sasi Kumar

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 24.03.2025, seeking bail in Crime No.158 of 2025 registered for the offence under Sections 8(c) and 20(b)(ii)(A) of



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NDPS Act, Section 123 of B.N.S. 2023 and Section 25(1)(a) read with Section 5 of Arms Act 1959.

2. The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 350 grams of Ganja from the accused; and that the contraband was seized.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that contraband has been seized; 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 on instructions, submitted that contraband, involved in this case is only small quantity and the same has been seized; and that the petitioner has 8 previous cases, registered for the offences under IPC, in which, he is on bail.

5. Considering the aforesaid facts, nature of allegations, period of



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incarceration, the fact that the petitioner is on bail in other previous cases and contraband has been seized, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence 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 **X Metropolitan Magistrate, Egmore, 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



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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.

07.04.2025

mjs

To

1. The X Metropolitan Magistrate, Egmore, Chennai.
2. The Inspector of Police, P-4 Basin Bridge Police Station, Chennai.
3. The Superintendent of Police, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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