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Crl. O.P. No.10233 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.10233 of 2025

Poobalan S/o. Vijayakumar

... Petitioner/Accused-2

Vs.

The State represented by-

The Inspector of Police,
K-2 Kasimedu Police Station.
Chennai.
(Crime No.117 of 2025).

... Respondent

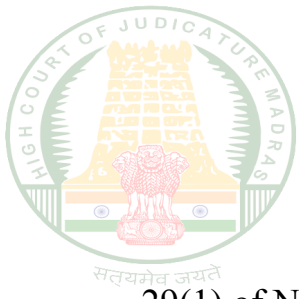
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.117 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. D. Padmanabhan

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 16.02.2025, seeking bail in Crime No.117 of 2025 registered for the offence under Sections 8(c), 20(b)(ii)(B) and



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29(1) of NDPS Act, Section 132 of BNS and Section 25(1B)(a) of Arms Act.

2. The case of the prosecution is that based on secret information, the respondent police seized totally 3.200 kgs of Ganja from the accused; that the petitioner was found in possession of 1.200 kgs of Ganja; and that 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 the petitioner has seven previous cases, among which, one case is for the possession of small quantity of contraband, another case is for intermediate quantity and some other cases were registered under IPC, in which, he is on bail; and that the contraband has been seized;

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 cases, the quantity of contraband involved in this case is intermediate quantity, 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 **XVI Metropolitan Magistrate, George Town, Chennai District.**

[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;



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[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.

07.04.2025

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To

1. The XVI Metropolitan Magistrate, George Town, Chennai District.
2. The Inspector of Police, K-2 Kasimedu Police Station, Chennai.
3. The Superintendent of Police, Central Prison-II, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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