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Crl.O.P.No.10164 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10164 of 2025

Vasanth

... Petitioner/ Accused No.5

Vs.

The State Rep. By,
The Inspector of Police,
J-8 Neelankarai Police Station,
Chennai.
(Crime No.611 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.611 of 2024, pending investigation on the file of the respondent.

For Petitioner : Mr. D. Manoj Kumar

For Respondent : M/s. J. R. Archana
Government Advocate (Crl. Side)



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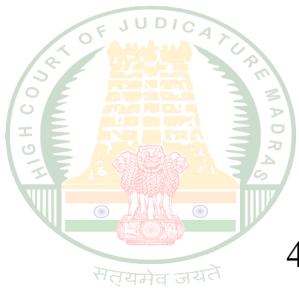
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ORDER

Petition seeking bail in respect of Crime No.611 of 2024 registered for the alleged offences punishable under Sections 8(c) r/w. 22(b), 25 and 29(1) of NDPS Act, 1985, is on board for consideration.

2. The case of the prosecution is that based on a secret information, the respondent police went to the spot and found that the accused persons/ A1 to A3 were in illegal possession of 6.60 grams of Methamphetamine; that upon the confession of the arrested accused, it is revealed that the petitioner and other accused were also involved in this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent, he has been falsely implicated in this case based on the confession of the co-accused and he has not committed any offence as alleged by the prosecution; that the petitioner has been arrested and remanded to judicial custody on 13.03.2025; and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and ready to co-operate for the investigation and prayed for bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and on instruction submitted that there are totally six accused in this case and the petitioner is arrayed as A5; that the total contraband involved in this case is 6.60 grams of Methamphetamine; that the petitioner has three previous cases under NDPS Act, involving intermediate quantity; and that the investigation is pending, hence opposed the bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, considering the nature of allegation against the petitioner, the submissions made by the learned counsels on either side, the fact that the petitioner is on bail in all the previous cases and implicated in this case only on the confession of the co-accused, the contraband seized from the co-accused is of intermediate quantity, the period of incarceration undergone by the petitioner 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 Principal Special Court under NDPS Act at Chennai** and on further conditions that:

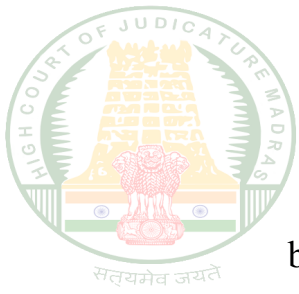
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[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



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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 of B.N.S.

04.04.2025
(2/2)

stn

To

1. The Principal Special Judge,
Principal Special Court under NDPS Act, Chennai.
2. The Inspector of Police,
J-8 Neelankarai Police Station,
Chennai.
(Crime No.611 of 2024)
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.

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