



Crl.OP.No.10375 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 07.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.10375 of 2025

Karnan

... Petitioner(s) /Accused 5

Vs.

State rep. by the Inspector of Police,
PEW Gummidipoondi,
Thiruvallur District.
Crime No.304 of 2024

... Respondent(s)/ Complainant

Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023, to enlarge the petitioner on bail in Crime No.304 of 2024, on the file of the respondent.

For petitioner(s) : Mr.C.Iyyappa Raj

For Respondent(s) : M/s.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 26.01.2025, seeking bail in Crime No.304 of 2024 registered for the offences under Sections 8(c) r/w Section 20(b)(ii)(C), 29(i) and 25 of the NDPS Act.



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WEB COPY 2. It is the case of the prosecution that on 12.11.2024, the respondent received a secret information and when they intercepted a vehicle, they found A1 to A3 in illegal possession of 40 kgs of ganja. Their confession revealed that they had purchased the contraband from A4 and sold it to the petitioner/ A5 and A6.

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 26.01.2025, 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 three previous cases pending against the petitioner, and none of them are under the NDPS Act.



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5. Admittedly, no contraband was seized from the petitioner. The petitioner is sought to be implicated on the confession of the co-accused and hence this Court is of the view that the petitioner has satisfied the twin conditions under Section 37 of the NDPS Act.

6. Considering the aforesaid facts and circumstances, period of incarceration and 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.

7. Accordingly, the petitioner is ordered to be released on bail on their executing separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties (one surety must be a blood relative of the petitioner), each for a like sum to the satisfaction of the learned **District Munsif cum Judicial Magistrate, Gummidipoondi**, 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



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Aadhar card or Bank pass Book to ensure their identity;

WEB COPY [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;

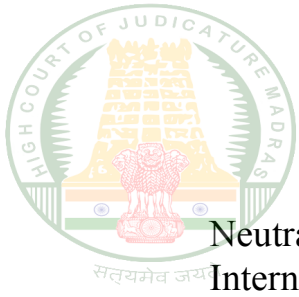
[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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]***;

[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
Speaking Order/Non Speaking Order



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Neutral Citation: Yes/No

Internet: Yes/No

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1. Inspector of Police,
PEW Gummidipoondi,
Thiruvallur District.
2. The Public Prosecutor,
Madras High Court,
Chennai.
3. District Munsif cum Judicial Magistrate,
Gummidipoondi.
4. The Superintendent of Prison,
Central Prison, Puzhal.



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SUNDER MOHAN, J.

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