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Crl.OP.No.10588 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.10588 of 2025

1. Kanagaparthi Venkata Durga
2. Ruth Amma
3. Santhi ... Petitioner(s) /Accused

Vs.

The Inspector of Police,
Chintadaripet Police Station,
Chennai. ... Respondent(s)/ Complainant
Crime No.164 of 2025.

Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023,
to enlarge the petitioners on bail in Crime No.164 of 2025, pending
investigation on the file of the respondent police.

For petitioner(s) : Mr.M.Muthuraja

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who



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was arrested and remanded to judicial custody on 17.03.2025, seeking bail in Crime No.164 of 2025 registered for the offences under Sections 8(c), 20(b)(ii)(B) and 29(1) of NDPS Act, 1985.

2. It is the case of the prosecution that the petitioners were found in possession of 8 Kgs of Ganja. Hence the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case and the petitioners are in custody from 17.03.2025, and that in any case, further custody of the petitioners is not required and prayed for the grant of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of bail to the petitioners, reiterated the prosecution case and on instructions submitted that there is one previous case against the first petitioner; and the second and third petitioners have no bad antecedents.



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5. Considering the nature of allegations, period of incarceration, and since further custody of the petitioners is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties, one being a blood relative surety and the other a local surety**, each for a like sum to the satisfaction of the **learned Principal Special Court under NDPS & EC Act, 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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;



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[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners 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
Neutral Citation: Yes/No
Internet: Yes/No
skr



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To

1. Inspector of Police,
Chintadaripet Police Station,
Chennai.
2. The Public Prosecutor,
Madras High Court,
Chennai.
3. Learned Principal Special Court under NDPS & EC Act, Chennai
4. The Superintendent of Prison,
Central Prison, Puzhal.



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SUNDER MOHAN, J.

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