



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

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THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.10547 of 2025

Simon

... Petitioner

Vs.

State Eep By
Inspector of Police,
Prohibition Enforcement Wing (Enforcement Bureau),
Adyar Unit,
Chennai - 600 090.
(Cr.No.479 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in
Cr.No.479 of 2025 on the file of the respondent police.

For Petitioner : Mr.C.V.Kumar

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
08.10.2024 for the alleged offence under Sections 8(c) r/w 20(b)(ii)(B),
22(c), 29(1) & 25 of NDPS Act, 1985 in Crime No.479 of 2024 on the file of
the respondent police, seeks bail.

2. The case of the prosecution is that based on secret information, the



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petitioner along with other accused were intercepted by the respondent and they were found in illegal possession of 1.100 kgs of ganja, 34 Rose Colour MDMA Ecstasy Tablets 15.30 grams and 290 grams of OG ganja; that on their confession, it was revealed that they have purchased the said contraband from A3 and thereafter, handover the same to the 5th accused for sale and thus committed the aforesaid offence.

3. The learned counsel for the petitioner submitted that the allegations are false; that co-accused was granted bail by this Court in CrI.O.P.No.12149 of 2025 and CrI.O.P.No.11510 of 2025; that the petitioner is in custody from 08.10.2024 and further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioners.

4. The learned Government Advocate (CrI Side) submitted that, investigation in this case almost completed and co-accused - A3 & A5 had been released on bail in CrI.O.P.No.11510 of 2025 dated 29.04.2025. However, he opposed to grant bail to the petitioner.



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5. Heard both sides and perused the materials available on record.

6. Considering the nature of allegations, period of incarceration and the fact that the co-accused who are arrayed as accused No.3 and accused No.5 who are similarly placed with the petitioner are already granted bail by this Court, hence 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 his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned XVIII Metropolitan Magistrate, Saidapet, Chennai - 600 015** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] **the petitioner shall report before the XVIII Metropolitan Magistrate, Saidapet, Chennai everyday**



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at 10.30 a.m., until further orders;

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[d] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

08.10.2025

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The XVIII Metropolitan Magistrate, Saidapet, Chennai - 600 015.



2. The Inspector of Police,
Prohibition Enforcement Wing (Enforcement Bureau),
Adyar Unit,
Chennai - 600 090.

3. The Central Prison,
Puzhal, Chennai - 600 066.

4. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.

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