



Crl.OP.No.10809 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 15.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.10809 of 2025

V.Purushothaman

... Petitioner/A2

Vs.

The State,
Rep by the Inspector of Police,
E-5, Sholavaram Police Station,
Thiruvallur.

(Cr.No.74 of 2025)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 483 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on bail, in connection with the Crime No.74 of 2025, pending investigation on the file of the respondent Police.

For petitioner : Ms.R.Priyanka

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

ORDER



Crl.OP.No.10809 of 2025

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 09.03.2025, seeking bail in Cr.No.74 of 2025 registered for the offence under Sections 8(c) r/w 20(b)(ii)(B), 29(1) and 25 of NDPS Act, 1985.

2. The case of the prosecution is that on 01.02.2025, on secret information, the respondent seized 1.200 Kgs of Ganja from the first accused; and that the petitioner/A3 was implicated based on the confession of the co-accused.

3. The learned counsel for the petitioner would submit that the petitioner is innocent; that he has been implicated in this case on the confession of the co-accused; that the co-accused have been released on bail; and that considering the period of incarceration, she prayed for bail to the petitioner.

4. The Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing the grant of bail to the petitioner,



WEB COPY

reiterated the prosecution case and on instructions submitted that no recovery was made from this petitioner/A3; that the contraband seized from the co-accused in this case is an intermediate quantity; that the petitioner has 11 previous cases, out of which, one is under NDPS Act of the year 2024, for possession of small quantity of contraband; and that the petitioner is on bail in all those cases.

5. Considering the nature of allegations; that the petitioner is sought to be implicated based on the confession of the co-accused; that no contraband was seized from the petitioner; that the contraband seized from the co-accused is an intermediate quantity; that co-accused have been granted bail; that he is on bail in the previous cases; and that 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 condition to execute 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 Judicial Magistrate No.II, Ponneri, and on further conditions

WEB COPY that:-

(a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned 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 commit any offences of similar nature;

(d) the petitioner shall not abscond either during investigation or trial;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Judicial 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]***;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.



Crl.OP.No.10809 of 2025

WEB COPY

15.04.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No

ars

To

1. The Inspector of Police,
E-5, Sholavaram Police Station,
Thiruvallur.
2. The Superintendent of Prisons,
Central Prison, Puzhal, Chennai.
3. The Judicial Magistrate-II,
Ponneri.
4. The Public Prosecutor,
High Court, Madras.



WEB COPY



CrI.OP.No.10809 of 2025



WEB COPY



Crl.OP.No.10809 of 2025

SUNDER MOHAN, J.

ars

Crl.OP.No.10809 of 2025

15.04.2025