



Crl. O.P. No.10765 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10765 of 2025

Gowtham

... Petitioner/Accused 2

Vs.

The State represented by-

The Inspector of Police,
D-5, Marina Police Station,
Chennai.
(Crime No.69 of 2025)

... Respondent

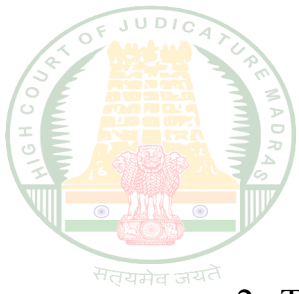
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.69 of 2025 pending investigation on the file of the respondent Police.

For Petitioner : Mr.P.Sundara Rajan

For Respondent : Ms.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 03.03.2025 seeking bail in Crime No.69 of 2025 registered for the offence under Sections 8(c) r/w 20(b)(ii)(B), 29(1) & 25 of NPDS Act, 1985.



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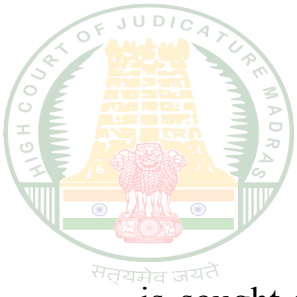
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2. The case of the prosecution is that the accused 1 & 2 were found in illegal possession of 1.200 kgs of ganja and 90 Nos. of Tydol Tablets; that the confession statement of the first accused revealed that the petitioner was also involved in the said offence. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that the contraband seized was not recovered from the petitioner and he is sought to be implicated as an accused based on the confession of the co-accused; that the petitioner is in custody from 03.03.2025 and hence prayed for grant of bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner is sought to be implicated on the confession statement of co-accused and that the petitioner has no bad antecedents.

5. Considering the nature of allegations, period of incarceration, the fact that no recovery was made from this petitioner and the contraband totally seized is an intermediate quantity and based on the co-accused confession, the petitioner



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is sought to be implicated and the petitioner has no bad antecedents 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 Sessions Judge for NDPS Act cases at Chennai.**

[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



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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.

15.04.2025

rkp

To

- 1.The Principal Sessions Judge for NDPS Act Cases at Chennai.
- 2.The Inspector of Police,
D-5, Marina Police Station,
Chennai.
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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