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Crl. O.P. No.10962 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10962 of 2025

V. Dakshana Moorthy

... Petitioner/Accused

Vs.

The State represented by-

The Inspector of Police,
K6 T.P. Chatram Police Station.
Chennai.
(Crime No.72 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.72 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. H. Manivannan

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 07.03.2025, seeking bail in Crime No.113 of 2025 registered for the offence under Sections 8(c) and 20(b)(ii)(B) of



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NDPS Act.

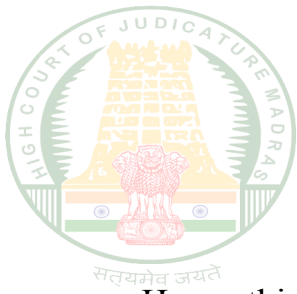
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2. The case of the prosecution is that based on secret information, the petitioner was found in possession of 1.430 kgs of Ganja.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that contraband has been seized; and that in any case, further custody of the petitioner is not required and prayed that the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and on instructions, submitted that seized contraband in this case is intermediate quantity and the same has been seized; and that the petitioner has 25 previous cases; that out of which, two cases were registered in the year 2004 for the offences under NDPS Act and the remaining cases were registered for the offences under IPC, in which, he is on bail.

5. Considering the aforesaid facts, nature of allegations, period of incarceration, the fact that the petitioner is on bail in the other cases, the seized contraband in this case is an intermediate quantity, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation.



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Hence 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 Special Court under EC & NDPS Act, Chennai.**

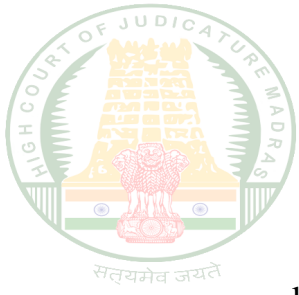
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police, daily 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

mjs

To

1. The Principal Special Court under EC & NDPS Act, Chennai.
2. The Inspector of Police, K6 T.P. Chatram Police Station, Chennai.
3. The Superintendent of Police, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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SUNDER MOHAN., J.

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