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Crl.OP.No.11705 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.11705 of 2025

Suriya Prasad

... Petitioner(s) /Accused

Vs.

The State rep. by its Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai.
Crime No.37 of 2025

... Respondent(s)/ Complainant

Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023, to enlarge the petitioner on bail pending investigation in Crime No.37 of 2025, on the file of the respondent police.

For petitioner(s) : Mr.R.Premanandhan

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



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ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 28.03.2025, seeking bail in Crime No.37 of 2025 registered for the offences under Sections 8(c), 22(b) and 25 of NDPS Act, 1985.

2. The case of the prosecution is that, the co-accused was found in illegal possession of 64.93 grams of Cocaine, 1.550 Kgs of Ganja, 2 grams of OG Ganja and 4 grams of Ganja oil and the petitioner was implicated based on the confession of the co-accused.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and the petitioner is in custody from 28.03.2025, and that in any case, further custody of the petitioner is not required and prayed for the grant of bail to the petitioner.

4. Learned Government Advocate (CrI.Side) appearing for the respondent



police, reiterated the prosecution case and submitted that the petitioner has no bad antecedents.

5. Admittedly, no contraband was seized from the petitioner and the petitioner is sought to be implicated based on the confession of the co-accused. Considering the aforesaid facts and circumstances, period of incarceration and 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 separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties (one surety must be a blood relative of the petitioner), each for a like sum to the satisfaction of the **learned Principal Special Court under EC & NDPS Act, Chennai – 104**, 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;



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[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 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.

21.04.2025

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,
F-5, Choolaimedu Police Station,
Chennai.
 2. The Public Prosecutor,
Madras High Court,
Chennai.
 3. Learned Principal Special Court under EC & NDPS Act, Chennai – 104.
 4. The Superintendent of Prison,
Central Prison, Chennai.



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SUNDER MOHAN, J.

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