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CrI.O.P.No.12175 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 03.06.2025
PRONOUNCED ON : 12 06.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.12175 of 2025

Praveen Pranav

... Petitioner

Vs.

State rep. By
The Inspector of Police,
P6 Kodungaiyur Police Station,
Chennai.

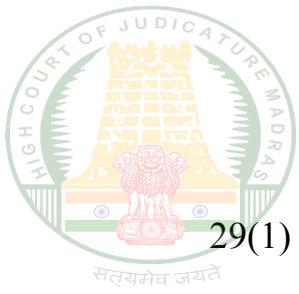
... Respondent

PRAYER : Criminal Original Petition is filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No.748 of 2024 pending investigation before the respondent.

For Petitioner	:	Mr.R.C.Paul Kanagaraj
For Petitioner	:	Mr.L.Baskaran, Government Advocate (CrI. Side)

ORDER

The petitioner, arrested and remanded to judicial custody on 23.10.2024, for the offence punishable under Sections 8(c), 22(c), 25 and



29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 [NDPS Act] in connection with Crime No.748 of 2024 on the file of the respondent, seeks bail.

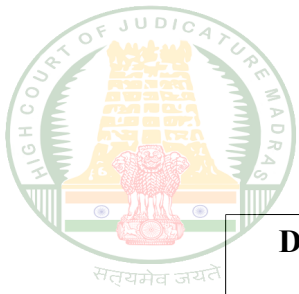
2.This is the second bail petition. Earlier the petitioner filed a bail petition in Crl.O.P.No.463 of 2025 and the same was dismissed on 20.03.2025.

3.The contention of the learned counsel for the petitioner is that in this case, there are totally nine accused, except the petitioner, all other accused granted bail by this Court. The petitioner who is similarly placed as that of the other accused, denied bail for the only reason that the petitioner found in possession of 245 grams of Methamphetamine, which is of commercial quantity. Hence, the petitioner not satisfied the twin condition of Section 37 of the NDPS Act for bail. He would submit that the petitioner is said to have hired a Suzuki Ertiga car bearing registration No.TN-10-AS-3477 from one Boopathy along with co-accused on 22.10.2024, they were intercepted, search conducted and contraband seized at about 22.30 hours.



He would further submit that the petitioner went along with his friends and he was not aware about any contraband carried in the car. He further submitted that the petitioner completed his Bachelor Degree in SRM University. He would submit that the respondent police concocted a story about petitioner travelling in the car on the said date and time. The vehicle is a hired vehicle in which GPS tracking machine fitted which would record the location of the car. He submits that on 22.10.2024, the said Suzuki Ertiga car vehicle bearing registration No.TN-10-AS-3477 travelled to the following locations:

Date	Arrival Time	Departure Time	Place of Location
22.10.2024	00:15:24	00:19:57	101, Kamaraj Road, Sastri Nagar, Kodungaiyur, Chennai, Tamil Nadu 600 118, India
	00:35:05	00:38:01	NH716, TVS Industries, Padi, Chennai, Tami Nadu 600076, India
	00:45:01	01:10:56	NH716, TVS Industries, Padi, Chennai, Tami Nadu 600076, India
	01:56:11	03:05:36	Madhavaram Milk Colony Road, Kumarappapuram, Madhavaram Milk Colony, Chennai, Tamil Nadu 600060, India
	03:54:34	04:13:32	Neithavayal, Tamil Nadu 601203, India

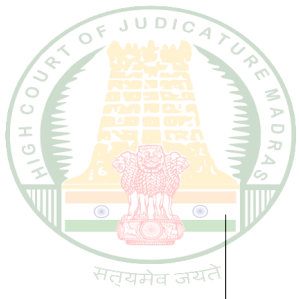


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Date	Arrival Time	Departure Time	Place of Location
	05:15:08	12:33:52	25, Pantheon Road, Komaleeswaranpet, Egmore, Chennai, Tamil Nadu 600008, India
	13:45:05	13:49:10	Chennai – Srikakulam Hwy, Padiyanallur, Tamil Nadu 600052, India
	15:13:23	16:34:10	Chennai - Thiruttani – Renigunta Hwy, Retteri Lake, Madhavaram, Chennai, Tamil Nadu 600099, India
	17:08:07	17:10:18	Pasumpon St, Bhavani Nagar, Red Hills, Padiyanallur, Tamil Nadu 600052, India
	17:39:21	17:40:31	Pasumpon St, Bhavani Nagar, Red Hills, Padiyanallur, Tamil Nadu 600052, India
	18:19:06	22:03:23	Pasumpon St, Bhavani Nagar, Red Hills, Padiyanallur, Tamil Nadu 600052, India
	22:04:57	22:25:36	Pasumpon St, Bhavani Nagar, Red Hills, Padiyanallur, Tamil Nadu 600052, India

4.Likewise, when the car seized and produced before the Trial Court on 06.12.2024, the said car travelled to the following locations:

06.12.2024	05:45:08	05:52:20	2/16, Kodungaiyur East, Krishnamoorthy Nagar, Vyasarpadi, Chennai, Tamil Nadu 600118, India
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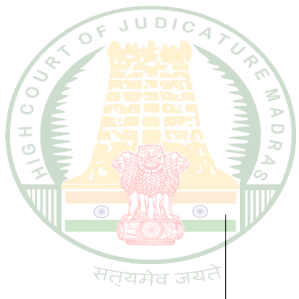


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	05:55:25	05:58:16	10/2, Moolakadai, Kondungaiyur, Chennai, Tamil Nadu 600118, India
	06:29:05	06:53:00	Eri Scheme, 6 th Main Road, Mogappair Eri Scheme, Mogappai, Tamil Nadu 600037, India
	06:56:53	07:11:11	12-67-68, SH 112, Mogappair, Mogappair East, Chennai, Tamil Nadu 600037, India
	07:23:39	07:25:38	NH716, TVS Industries, Padi, Chennai, Tamil Nadu 600076, India
	07:29:10	07:38:28	NH716, TVS Industries, Padi, Chennai, Tamil Nadu 600076, India
	07:42:06	07:42:59	NH716, TVS Industries, Padi, Chennai, Tamil Nadu 600076, India
	08:06:40	08:08:19	C81, Tondiarpet High Road, Gandhi Nagar, Vyasarpadi, Kaviarasu Kannadhasan nagar, Vyasarpadi, Chennai, Tamil Nadu 600118, India
	08:10:57	11:55:17	2/16, Kodungaiyur East, Krishnamoorthy Nagar, Vyasarpadi, Chennai, Tamil Nadu 600118, India
	11:59:34	13:33:07	13/7/B, Abirami Avenue, Vyasarpadi, Chennai, Tamil Nadu 600118, India
	13:36:24	14:20:43	13/7/B, Abirami Avenue, Vyasarpadi, Chennai, Tamil Nadu 600118, India
	14:56:51	16:02:36	N Fort Road, George Town, Chennai, Tamil Nadu 600104, India



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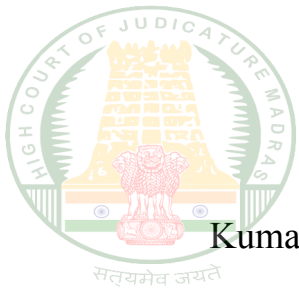


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	16:05:40	20:15:46	N Fort Road, George Town, Chennai, Tamil Nadu 600104, India
	20:16:35	20:17:57	N Fort Road, George Town, Chennai, Tamil Nadu 600104, India

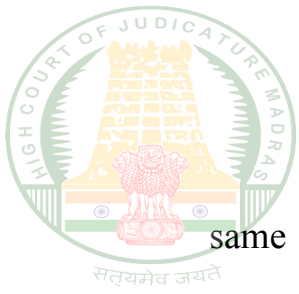
The above given GPS tracking details would prove that there was no search or seizure of contraband from the petitioner as projected by the prosecution. In support of his contention, the learned counsel for the petitioner produced the GPS tracking of the vehicle and the call details of his mobile phone to show the tower location. Hence, prayed for bail.

5.The learned Government Advocate (CrI. Side) filed his counter and submitted that on 22.10.2024 at about 22.45 hours, the Inspector of Police attached to Kodungaiyur Police Station received secret information about the illegal sale of Narcotic substance. After receiving the information, the Inspector of Police obtained permission from his superior Assistant Commissioner of Police, M.K.B Nagar Range and thereafter went to the scene of occurrence along with the Police party. The informant identified the accused, at that time, the petitioner was found along with Danush



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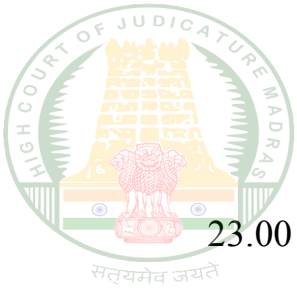
Kumar/A4, Gnana Pandian/A5, Flaming Francis/A6, Naveen/A7 and Kishore/A9 travelling in a Suzuki Ertiga car bearing registration No.TN-10-AS-3477. The vehicle was intercepted, search conducted and 245 grams of Methamphetamine seized from the car. Thereafter, the accused A1, A4 to A7 and A9 arrested, confession recorded, the contraband along with the vehicle was seized in the presence of the witnesses and a case in Crime No.748 of 2024 registered. Based on the confession statement of A1, 245 grams of Methamphetamine, 42 Nos. of small white plastic covers, Ertiga Car, Spectacles named Davish used in the Chemical Laboratories, small weighing machine and mobile phones seized. Apart from the petitioner, A4 and A6 gave confession in the scene of occurrence and later the other accused, namely, A2 was arrested on 22.01.2025 and A8 was arrested on 26.10.2024. Added to it, the petitioner's residence was searched and from there, chemicals and lab equipments seized on 23.10.2024. Thus the petitioner played an active role in purchasing, smuggling and peddling the Narcotic substances with the aid of his friends and he also made attempts to prepare Methamphetamine through lab process. He would submit that in this case, investigation completed, charge sheet filed and the



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same was taken on file in C.C.No.315 of 2025 and the case is posted for engaging a counsel by the petitioner and for trial. Hence, the role played by the petitioner cannot be equated with the other accused who were granted bail. Hence strongly opposed the bail.

6.Considering the submissions made and on perusal of the materials, it is seen that the petitioner travelled in a car to the scene of occurrence along with his friends, namely, A4, A5, A6, A7 and A9, all of them were rounded off by the respondent, they were questioned and searched. It is projected that the petitioner produced the contraband, 42 Nos. of small plastic covers, a weighing machine, Davish spectacle used in the chemical laboratories and mobile phones. It is a case of prior information received by Mr.Saravanan, Inspector of Police, Kondungaiyur Police Station on 22.10.2024 at 20.45 hours. After getting permission from his superior Officer, the Inspector of Police proceeded to the scene of occurrence along with the Police team. Notice under Section 50 of NDPS Act before search was served to the petitioner at about 21.45 hours, Danush Kumar/A4 at 22.45 hours, Gnana Pandian/A5 at 22.30 hours, Flaming Francis/A6 at



23.00 hours, Naveen/A7 at 22.15 hours and Kishore/A9 at 22.00 hours.

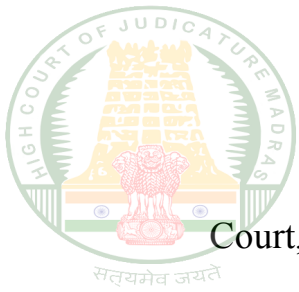
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Thereafter, the petitioner was arrested on the same day and confession recorded at about 23.00 hours. Based on his confession, 245 grams of Methamphetamine, Suzuki Ertiga car, small plastic covers, weighing machine, chemical lab spectacle and mobile phones of the accused persons are shown to be seized. Form No.95 confirms the same. It is seen tat the properties were produced before the Court only on 06.12.2024. From the above, it is clear that the petitioner along with five of his friends were searched, contraband seized, arrested and thereafter, the other three accused arrested and confession recorded. Though all the six accused were apprehended from the scene of occurrence together and arrested and confession statement recorded, it is projected that the petitioner alone produced the contraband. Section 57 report, it is recorded that the informant identified the car and the accused, thereafter the Police party attempted to apprehend them, all the accused present there attempted to flee from the place, at that time, the petitioner is said to have produced the contraband. In this case, it is not the case of concealment of contraband in his body, the petitioner produced the contraband when he was apprehended



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along with the other accused. Hence, accusing the petitioner alone for possession of contraband is a fact to be decided during trial. Further, all the accused charged for criminal conspiracy under Section 29 of NDPS Act. In this case, the petitioner is a College Student who completed his Degree from a reputed College and has no bad antecedents. Since the petitioner lost his mother at the young age of three and his father had a second marriage, the petitioner is living separately and his sister with maternal grandmother. Hence, the petitioner living separately cannot be attributed with any motive. Admittedly, in this case, the co-accused, namely, A3 was granted bail in Crl.O.P.No.3017 of 2025 by order dated 12.03.2025, A4, A6 and A8 were granted bail in Crl.O.P.Nos.31916 of 2024, 352 & 395 of 2025 by order dated 29.01.2025, A5 was granted bail in Crl.O.P.No.2881 of 2025 by order dated 06.02.2025, A7 and A9 were granted bail in Crl.O.P.No.2646 of 2025 by order dated 12.02.2025, which is not in dispute. Further, the petitioner's contention is that he could not have been arrested on the said date and time as projected which needs consideration in view of the materials produced. Now investigation completed, charge sheet filed, taken on file in C.C.No.315 of 2025 by the learned Principal Special Judge for EC & NDPS



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Court, Chennai. Therefore, 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.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Principal Special Judge for EC & NDPS Court, Chennai 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 to appear before the Trial Court on all hearing dates without fail;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;



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[e] 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];

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

12.06.2025

Speaking Order/Non Speaking Order

Index : Yes/No

Neutral Citation: Yes/No

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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.



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To

- 1.The Principal Special Judge
for EC & NDPS Court,
Chennai.
- 2.The Superintendent,
Central Prison,
Puzhal.
- 3.The Inspector of Police,
P6 Kodungaiyur Police Station,
Chennai.
- 4.The Public Prosecutor,
Madras High Court.



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Crl.O.P.No.12175 of 2025

M.NIRMAL KUMAR, J.

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Pre-delivery order made in

Crl.O.P.No.12175 of 2025

12.06.2025