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Crl.OP.No.11849 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.11849 of 2025

Kishore Kumar @ Keerai ... Petitioner(s) /Accused 4

Vs.

The State rep. by
Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai. ... Respondent(s)/ Complainant
Crime No.117 of 2025.

Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023,
to enlarge the petitioner on bail in Crime No.117 of 2025 pending
investigation on the file of the respondent/ complainant.

For petitioner(s) : Mr.Karthikey

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 14.03.2025, seeking bail in Crime No.117 of 2025 registered for the offences under Sections 8(c), 20(b)(ii)(B) and 29(1) of NDPS Act.

2. The case of the prosecution is that, the co-accused was found in illegal possession of 1.300Kgs of Ganja 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 14.03.2025, and that in any case, further custody of the petitioner is not required and prayed for the grant of bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that there are four cases against the petitioner, out of which one is under NDPS Act and he is on bail in those case.

5. Admittedly, no contraband was seized from the petitioner. Considering the nature of allegations, period of incarceration, the fact that the contraband seized from the co-accused was an intermediate quantity, 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 XVII Metropolitan Magistrate, Saidapet**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb



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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 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.

22.04.2025

Index : Yes/No



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Speaking Order/Non Speaking Order

Neutral Citation: Yes/No

Internet: Yes/No

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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 XVII Metropolitan Magistrate, Saidapet.
 4. The Superintendent of Prison,
Central Prison-II, Puzhal.



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SUNDER MOHAN, J.

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