



Crl.OP.No.12005 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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**DATED : 22.04.2025**

**CORAM**

**THE HON'BLE MR. JUSTICE SUNDER MOHAN**

**Crl.O.P.No.12005 of 2025**

1.Prathish Kumar @ Guitar

2.Rajiv Gandhi @ Raja Durai @ Vavval

.. Petitioners

**Vs.**

The State rep by  
The Inspector of Police,  
Kilambakkam Police Station,  
Tambaram.

(Crime No.52 of 2025)

.. Respondent

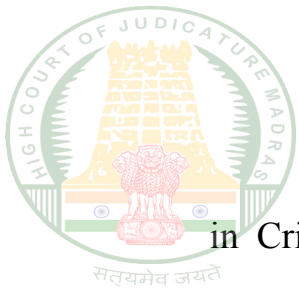
**PRAYER:** Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.52 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : M/s.V.Karthick

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

**ORDER**

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 10.03.2025, seeking bail



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in Crime No.52 of 2025 registered for the offence under Sections 8(c),  
20(b)(ii)(B), 29(1) of NDPS Act.

2. The case of the prosecution is that the petitioners were found in illegal possession of 2.200 kilograms of Ganja. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case; that the contraband seized from the petitioners are intermediate quantity; and that in any case, further custody of the petitioners is not required and prayed that the petitioners may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioners, reiterated the prosecution case and submitted that there is one previous case pending against the first petitioner under the NDPS Act and one previous case pending against the second petitioner under the IPC, and that the petitioners are on bail in those cases.



5. Considering the nature of allegations, period of incarceration, the contraband seized is of intermediate quantity, the petitioners are on bail in the other cases, and since further custody of the petitioners is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are 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 Judicial Magistrate-I, Tambaram**, 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;

**[b] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;**

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness either



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during investigation or trial;

**WEB COPY** [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.

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Index : Yes / No  
Internet : Yes / No  
dpa



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To

- 1.The Inspector of Police,  
Kilambakkam Police Station,  
Tambaram.
- 2.The learned Judicial Magistrate-I  
Tamabaram.
- 3.The Superintendent of Prison,  
Central Prison Puzhal-II.
- 4.The Public Prosecutor,  
High Court, Madras.



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**SUNDER MOHAN , J.**  
dpa

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