



Crl.OP.No.11995 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.11995 of 2025

Abdul Kadhar @ Babu

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
Ukkadam Police Station,
Coimbatore District.
(Crime No.134 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.134 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : M/s.W.Camyles Gandhi

For Respondent : M/s.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 28.03.2025, seeking bail



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in Crime No.134 of 2025 registered for the offence under Sections 8(C) r/w
20(b)(ii)(A) of NDPS Act r/w Section 123 of BNS.

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2. The case of the prosecution is that the petitioner was found in illegal possession of 160 grams of Ganja. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case; that the contraband seized from the petitioner is of small quantity 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, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the contraband seized is of intermediate quantity; that there are three previous cases pending against the petitioner, out of which two are NDPS cases and the contraband seized in those cases is of small quantity and he is on bail in those cases.



5. Considering the nature of allegations, period of incarceration, the contraband seized is of small quantity, the petitioner is on bail in all the other cases, 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 Judicial Magistrate No.V, Coimbatore**, 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 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;



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[e] On breach of any of the aforesaid conditions, the learned

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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
Internet : Yes / No
dpa



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To

- 1.The Inspector of Police,
Ukkadam Police Station,
Coimbatore District.
- 2.The learned Judicial Magistrate No.V,
Coimbatore.
- 3.The Superintendent of Prison,
Central Prison, Coimbatore.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.
dpa

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