



Crl.OP.No.12044 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 23.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.12044 of 2025

Prabakaran

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
Arakandanallur Police Station,
Villupuram.
(Crime No.73 of 2025)

.. Respondent

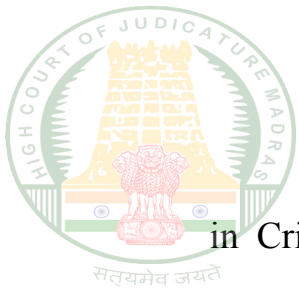
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.73 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : M/s.P.Mukesh Kannah

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 20.03.2025, seeking bail



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in Crime No.73 of 2025 registered for the offence under Sections 8(c),
20(b)(ii)(B), 25, 29(i) of NDPS Act.

2. The case of the prosecution is that the petitioner along with the other accused, were found in illegal possession of 1.180 kilograms of Ganja. Hence, the case.

3. The learned counsel for the petitioner would submit that the allegations are false; that the contraband has been seized from the co-accused; that no recovery was made from the petitioner 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 reiterated the prosecution case and submitted that there are six previous cases pending against the petitioner under the TN Prohibition act and he is on bail in those cases.



5. Considering the nature of allegations, period of incarceration, the fact that the contraband seized from the co-accused is intermediate quantity, no recovery was made from the petitioner, the fact that the petitioner is on bail in 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-II, Villupuram**, 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



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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.

23.04.2025

Index : Yes / No
Internet : Yes / No
dpa



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To

1.The Inspector of Police,
Arakandanallur Police Station,
Villupuram.

2.The learned Judicial Magistrate-II, Villupuram

3.The Superintendent of Prison,
Central Prison, Villupuram.

4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.
dpa

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