



Crl.OP.No.12326 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.12326 of 2025

1.Logeshwaran

2.Jayaraj

.. Petitioners

Vs.

The State rep by
The Inspector of Police,
H5 New Washermenpet Police Station,
Chennai.

(Crime No.559 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.559 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : M/s.G.Ezhil Balaji

For Respondent : Ms.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 13.03.2025, seeking bail



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in Crime No.559 of 2025 registered for the offence under Sections 8(c) r/w
20(b)(ii)(B) & 29(1) of NDPS Act, 1985.

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

3. The learned counsel for the petitioners would submit that the allegations are false; that the petitioners is in custody from 13.03.2025 and 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, reiterated the prosecution case and submitted that there are seven previous cases pending against the first petitioner and three previous cases pending against the second petitioner, and that they are on bail in all those cases.



5. Considering the nature of allegations, period of incarceration, the petitioners are on bail in all 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 their 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 XV Metropolitan Metropolitan Magistrate, George Town, Chennai**, 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 during investigation or trial;



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[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,
H5 New Washermenpet Police Station,
Chennai.

2.The learned XV Metropolitan Metropolitan Magistrate,
George Town, Chennai.

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

4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN , J.
dpa

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