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Crl.OP.No.12366 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.12366 of 2025

Manikandan

... Petitioner

Vs.

The State rep. by
The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai District.
Crime No.828 of 2024

... Respondent

Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023,
to enlarge the petitioner on bail in Crime No.828 of 2024, on the file of the
respondent police.

For petitioner(s)	: Mr.P.Muthamizh Selvakumar
For Respondent(s)	: M/s.J.R.Archana Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who



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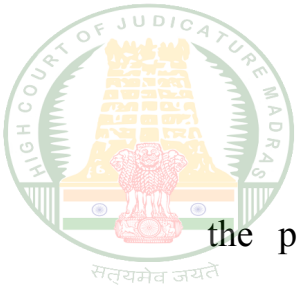
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was arrested on 23.03.2025, seeking bail in Crime No.828 of 2024, registered for the offences under Sections 8(c), 20(b)(ii)(C), 25 & 29 (1) of the NDPS Act.

2.It is the case of the prosecution that there are totally 20 accused in this case and the petitioner herein is ranked as A16; that A1 was found in possession of 21.900 kgs of ganja and his confession revealed that he had purchased the contraband from A8 and A15 and that the petitioner had supplied the contraband to A1. Hence, the case.

3.The learned counsel for the petitioner would submit that no recovery was made from the petitioner and that the petitioner is sought to be implicated only based on the confession of A1; that the co-accused has been granted bail by this Court in Crl.OP.No.2784 of 2025. Hence, he prays for the grant of bail.

4.Per contra, learned Government Advocate reiterated the case of the prosecution and submitted that there are four previous cases pending against



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the petitioner including one under the NDPS Act for possession of intermediate quantity in the year 2024 and that the petitioner is on bail in all other cases.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Admittedly, there was no recovery from the petitioner and that the petitioner was arrested only on the confession of A1. There is no other material against this petitioner. The petitioner is on bail in the previous case. Hence, this Court is of the view that the twin conditions under Section 37 of the NDPS Act. Similarly placed has been granted bail by this Court in Crl.OP.No.2784 of 2025.

7. Considering the aforesaid facts, nature of allegations, period of incarceration and since further custody of the petitioner is not required for the purpose of interrogation, this Court is inclined to grant bail to the



petitioner with certain conditions.

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8. 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 **X Metropolitan Magistrate Court, Egmore**, and on further conditions that:-

(a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned 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 commit any offences of similar nature;

(d) the petitioner shall not abscond either during investigation or trial;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with



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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];***

(g) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

29.04.2025

Index : Yes/No
Speaking Order/Non Speaking Order

drl
To

- 1.The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai District.
2. The Public Prosecutor,
Madras High Court,
Chennai.
3. The Superintendent of Prison,
Central Prison, Puzhal, Chennai.
4. The Metropolitan Magistrate No.X,
Egmore, Chennai.



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SUNDER MOHAN, J.

drl

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