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CRL OP No. 12874 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 12874 of 2025

1. PRAKASH

S/o. Rajendran, No.21/25, 2nd Street,
Raghubathy Nagar, Pazhavanthangal,
Kancheepuram District

Petitioner(s)

Vs

1. State Represented by its. Inspector of
Police
Chengalpet Town Police Station,
Chengalpattu District. (Crime No. 190
of 2021)

Respondent(s)

PRAYER

To enlarge the petitioner on anticipatory bail in the event of arrest in connection with Crime No. 190 of 2021 pending investigation on the file of the respondent police and thus render justice

For Petitioner(s): Mr.M.Prakash

For Respondent(s): Public Prosecutor



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 8(c), 20(b)(ii)(B) of NDPS Act in Crime No.190 of 2021, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 23.04.2021, the petitioner along with A1 and A2 was found in possession of 1.200 kgs of Ganja; that A1 and A2 were apprehended; that the petitioner fled from the scene of occurrence; and that the petitioner was added as accused on the confession of A1 and A2.

3. Learned counsel appearing for the petitioner submitted the allegations are false; that no contraband was seized from this petitioner; and that the allegations do not warrant custodial interrogation of the petitioner and prayed for anticipatory bail to the petitioner.



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4. Learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and submitted that the petitioner has no bad antecedents.

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

6. The petitioner is sought to be implicated on the confession of the co-accused. No contraband was seized from the petitioner. The petitioner has no bad antecedents. The contraband which is intermediate quantity has been seized from the co-accused. Hence, this Court is of the view that custodial interrogation of the petitioner is not required for the purpose of investigation and is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the



date on which the order copy made ready, before the learned Judicial

Magistrate-I, Chengalpattu on condition that the petitioner shall execute a bond

for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties each**

for a like sum to the satisfaction of the respondent police or the police officer

who intends to arrest or to the satisfaction of the learned Magistrate concerned,

failing which, the petition for anticipatory bail shall stand dismissed and on

further condition that:

[a] the petitioner and 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 appear before the Trial Court on all hearing dates.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on



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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 of B.N.S.

29-04-2025

Jai

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

1. State Represented by its. Inspector of Police

Chengalpet Town Police Station,
Chengalpattu District. (Crime No. 190
of 2021).

2. The Judicial Magistrate-I,
Chengalpattu.
3. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN J.

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