



Crl.O.P.No.13713 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: **08.05.2025**

CORAM

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

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1.Akash @ Kakka
2.Prithiviraj @ Poonai

... Petitioners

Versus

The State Rep by its
The Inspector of Police,
K-2, Ayanavaram Police Station,
Chennai.
(Crime No. 122 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.122 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : Mr.R.Muthukumar

For Respondent : M/s.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 19.03.2025, seeking bail in Crime



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No.122 of 2025 registered for the offence under Sections 8(c), 20(b)(ii)(B) and 29(1) of NDPS Act.

2. The case of the prosecution is that the petitioners were found in illegal possession of 2.300 kilograms of ganja. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the petitioners were arrested and is in judicial custody from 19.03.2025. He would submit that the contraband has been seized. He would further submit that the petitioners, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.10,000/-, to any welfare scheme of the Government or any other organization. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this court.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the contraband has been seized.



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6. Considering the voluntary submission made by the learned counsel for the petitioners, the petitioners are directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) as non-refundable deposit, to the credit of **Aishwaryam Trust, Indian Bank, Tirunagar Branch, Madurai, Account No.6639017788, IFSC Code: IDIB000T032**, without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

7. Further, considering the nature of allegations, the period of incarceration undergone by the petitioners, the fact that the contraband was seized 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, subject to certain conditions.



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8. Accordingly, the petitioners are ordered to be released on bail on their executing separate 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 learned **V Metropolitan Magistrate, Egmore, 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., for a period of 30 days and thereafter as and when required for interrogation.

[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;

[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]***;



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

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Note:

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this court will be watermarked and will also have a QR code.**

To

1.The Inspector of Police,
K-2, Ayanavaram Police Station,
Chennai.

2.The learned V Metropolitan Magistrate,
Egmore, Chennai

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

4.The Public Prosecutor,
High Court, Madras.

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L.VICTORIA GOWRI, J.

dpa/skr

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