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Crl. O.P. No.15204 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2025

CORAM:

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.15204 of 2025

1. Amarediran @ Amar
2. Sudhakar @ Jilo
3. Suriya @ Vettukili

... Petitioners

Vs.

State Rep. by -

The Inspector of Police,
P-5 MKB Nagar Police Station.
Chennai.
(Crime No.188 of 2025).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail, in
Crime No.188 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr. R. Muthukumar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioners/accused,
who were arrested and remanded to judicial custody on 08.04.2025, seeking bail



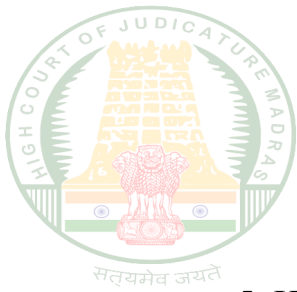
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in Crime No.188 of 2025 registered for the offences under Section 8(c) and 20(b)(ii)(B) of NDPS Act and Section 132 of B.N.S.

2. The case of the prosecution is that the petitioners were found in possession of 2.850 kgs of Ganja.

3. The contention of the learned counsel appearing for the petitioners is that the petitioners have been falsely implicated in this case. They have nothing to do with the commission of offences. Contraband has been seized. He also submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and further submitted that the petitioners are arrayed as A1 to A3. A1 has 23 previous cases registered for IPC offences, A2 has 6 previous cases, in which, one case is registered under NDPS Act and A3 has 6 previous cases, in which, 2 cases are registered under NDPS. The petitioners are on bail in all the previous cases and contraband in this case has been seized.



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5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side, nature of offences, considering the fact that the contraband was seized and the period of incarceration suffered by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/- each (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **X Metropolitan Magistrate, Egmore, Chennai** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs 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 further interrogation, if



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their presence is not required in any other case;

[c] the petitioners shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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)13 SCC 283]**;

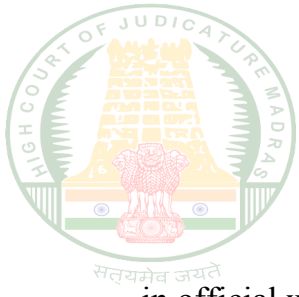
[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

15.05.2025

mjs

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



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in official website of this Court will be watermarked and will also have a QR code.

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M.NIRMAL KUMAR, J.

mjs

To

1. The X Metropolitan Magistrate, Egmore, Chennai.
2. The Inspector of Police,
P-5 MKB Nagar Police Station.
Chennai.
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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