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CrI.O.P.No.15500 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2025

CORAM

**THE HON'BLE MR. JUSTICE N.SENTHILKUMAR**

CrI.O.P.No.15500 of 2025

1. Thanga Ganapathy

2. Ponraj

.....Petitioners/A1 and A2

Vs.

State rep. by  
The Inspector of Police,  
T3 Pallavaram Police Station,  
Chennai.  
(Crime No. 239 of 2025).

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 483 of B.N.S.S., 2023, to enlarge the petitioners on bail in Cr.No.239 of 2025 pending investigation on the file of the Respondent Police.

For Petitioners : Mr.G.Nirmal Krishnan

For Respondent : M/s.V.J.Priyadarsana  
Government Advocate (CrI.Side)



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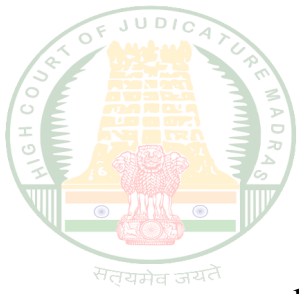
## **ORDER**

The petitioners, who were arrested and remanded to judicial custody on 16.04.2025, for the alleged offences punishable under Sections 8(c) r/w 20(b)(ii)(B), 25, 29(i) of NDPS Act, 1985 in Crime No.239 of 2025, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners were found to be in possession of 1.300 Kg of Ganja. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He would submit that the petitioners have been in judicial custody from 16.04.2025. He further submitted that the petitioners, without prejudice to their rights, is ready to deposit a sum of Rs.10,000/- each to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the



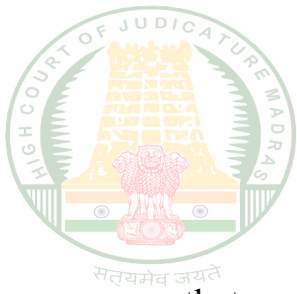
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respondent police, while opposing for grant of bail to the petitioners, reiterated the prosecution case and submitted that the petitioners were arrested on 16.04.2025. He further submitted that there are two previous cases pending against the first petitioner and there is no previous case as against the second petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioner, and also taking into account the undertaking given by the petitioner, ***this Court is inclined to grant bail to the 2nd petitioner/A2 alone, subject to certain conditions.***

7. Accordingly, the 2nd petitioner is ordered to be released on bail on his executing 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 **District Munsif cum Judicial Magistrate, Pallavaram** and on further conditions



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that:-  
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[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 2nd petitioner is directed to deposit a sum of **Rs.10,000/-** (Rupees Ten thousand only) as non-refundable deposit either through RTGS/NEFT/cash/demand draft in favour of the **Dean, Stanley Government Medical College and Hospital, Chennai, bearing A/c. No.39219285071, State Bank of India, Old Jail Road, Stanley Hospital, IFSC:SBIN0001476**, without prejudice to his defence before the trial Court and the concerned Magistrate/Judge after perusing the challan/receipt, shall accept the sureties furnished by the petitioner;

**[c] the 2nd petitioner shall report before the concerned Magistrate/Judge daily at 10.30 a.m on every Monday to Friday and appear before the respondent police at 10.30 a.m on every Saturday and Sunday until further orders;**

[d] the 2nd petitioner shall not abscond either during investigation or trial;

[e] the 2nd petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate



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action against the 2nd petitioner in accordance with law as if the conditions have been imposed and the 2nd 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.

8. Considering the facts and circumstances of the case and also taking into account the fact that there are two previous cases pending against the first petitioner, this court is not inclined to grant bail to the first petitioner/A1.

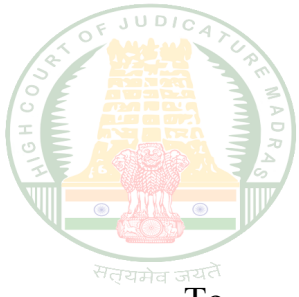
9. Accordingly, this petition is dismissed as against the first petitioner/A1.

21.05.2025

mst

**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.**



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To  
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- 1.The District Munsif cum Judicial Magistrate,  
Pallavaram.
2. The Inspector of Police,  
T3, Pallavaram Police Station.
- 3.The Superintendent,  
Central Jail at Puzhal, Chennai.
- 4.The Public Prosecutor,  
High Court of Madras.



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**N.SENTHILKUMAR,J.**

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