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Crl.O.P.No.16110 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16110 of 2025

Imran

... Petitioner/A1

Vs.

State Rep by,
Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.
Crime No.247/2025

... Respondent

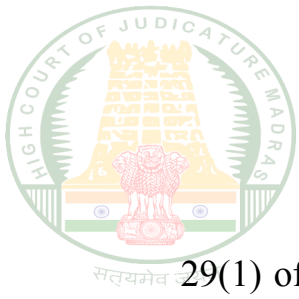
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail, in the case pending investigation in Crime No.247 of 2025 on the file of the respondent Police.

For Petitioner : Mr.R.Rafi Babu

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.05.2025, for the offence punishable under Sections 8(c), 20(b)(ii)(B)



Crl.O.P.No.16110 of 2025

WEB COPY

29(1) of NDPS Act 1985 in Crime No.247 of 2025, registered on the file of the respondent, seeks bail.

2. Learned counsel appearing for the petitioner submits that the petitioner was arrested in Hosur, and he was kept in illegal custody on 08.05.2025, and thereafter he was arrested within the jurisdiction of Pulianthope on 09.01.2025 and projected the case that he along with three other accused, conspired and smuggled 2 kgs of Ganja. The petitioner had some previous cases. For this reason, the above case was foisted against him. He also submitted that the petitioner is willing to abide by any stringent conditions that may be imposed by this Court. Therefore, he prays for grant of bail to the petitioner.

3. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that he is a regular offender and involved in 4 NDPS cases. The petitioner is a notorious criminal who along with three other accused, was transporting ganja. Therefore, he strongly opposed the grant of bail to the petitioner.



CrI.O.P.No.16110 of 2025

WEB COPY

4. A counter affidavit was filed on behalf of the respondent police, furnishing the action taken by the respondent and enlisting the previous cases pending against the petitioner, as follows:

<i>S.No.</i>	<i>Police Station, Crime Number, U/s.,</i>	<i>Stage of the case</i>
1	Vellore District, Katpadi P.S. Cr.No.726 of 2022 U/s. 147, 148, 307, 332, 506(ii) IPC	Under Investigation
2	Vellore District, Melpatti P.S. Cr.No.38 of 2022 U/s. 25(1)(a) Arms Act, 8(c) 20(b)(ii)(B) NDPS Act	Under Investigation
3	Vellore District, Peranampet P.S. Cr.No.02 of 2022 U/s.341, 294(b), 392, 397, 506(ii) IPC	Under Investigation
4	Vellore District, Peranampet P.S. Cr.No.74 of 2022 U/s 25(1)(a) Arms Act and 341, 294(b), 392, 397, 506(ii) IPC	Under Investigation
5	Thanjavur District, Kumbakonam East P.S Cr.No.172 of 2019 U/s 28 Arms Act and 395, 397, 399 IPC [1-Additional District Judge Kumbakonam SC.No.66/2024 N.H.D:13.06.2025 for Engaging Counsel (Petitioner is A2 filed 355 BNSS)]	Pending Trial
6	Thanjavur District, Kumbakonam East P.S Cr.No.192 of 2019 U/s 28 Arms Act and 395, 397, 399, 511 IPC [1-Additional District Judge Kumbakonam SC.No.67/2024 N.H.D:24.06.2025 for A2, A6 NBW Pending (Petitioner is A2)]	Pending Trial
7	CBCID – OCIU Cr.No.01 of 2018	



S.No.	Police Station, Crime Number, U/s.,	Stage of the case
	U/s 25(1B) (a)3, Arms Act and 489 IPC	Under Investigation
8	Trichy District, Contonment P.S. Cr.No.1821 of 2018 U/s.392, 120(B), 109 IPC [17 th Judicial Magistrate Court, Trichy C.C.No.1220/2020 N.H.D: 12.09.2025 for FS (Petitioner is A1)]	Pending Trial
9	Vellore District, Peranampet P.S. Cr.No.60 of 2023 U/s 341, 294(b), 323, 392, 397, 506(ii) IPC	Under Investigation
10	Villupuram District, Olakkur P.S. Cr.No.381 of 2017 U/s 395 IPC	Under Investigation
11	Puzhal P.S. Cr.No.339 of 2018 U/s 42 Prison Act	Under Investigation
12	P3 Viyasarpadi P.S.Cr.No.246 of 2018 U/s.341, 294(b), 324, 307, 379 IPC	Under Investigation
13	K4 Anna Nagar P.S Cr.No.899 of 2009 U/s120(B), 392, 397 IPC [20 th Additional Judge, Chennai S.C.No.17/2023 N.H.D: 06.06.2025 for A3 NBW pending (Petitioner is A3)]	Pending Trial
14	Tambaram P.S. Cr.No.1595 of 2016 U/s 384 IPC	Under Investigation
15	H1 P.S. Cr.No.339 of 2018 U/s 147, 148, 341, 294(b), 323, 397, 336, 427, 506(ii) IPC & 25 (3)(1) Arms Act 1953. [1 – Additional Judge Chennai S.C.No.69/2023 N.H.D:21.06.2025 for A1 NBW pending (Petitioner is A1)]	Pending Trial
16	CCB-1 Cr.No.195 of 2009 U/s 380, 420, 465, 467, 468, 471 IPC	Under Investigation
17	Saidapet P.S. Cr.No.783 of 2021 U/s 392 IPC	Under Investigation



<i>S.No.</i>	<i>Police Station, Crime Number, U/s.,</i>	<i>Stage of the case</i>
18	P6 P.S. Cr.No.861 of 2022, U/s. 341, 294(b), 336, 397, 506(ii) IPC	Under Investigation
19	C2 P.S. Cr.No.26 of 2023 U/s. 420 IPC @ 120(b), 395 @ 397 IPC	Under Investigation
20	P-6 Kodungaiyur P.S. Cr.No.520 of 2023 U/s 8(c), 20(b) (ii)(B), 25, 29(1) of NDPS Act	Under Investigation
21	E1 Mylapore P.S. Cr.No.123 of 2024 U/s 294(b), 324, 395, 506(ii) IPC @ 294(b), 324, 397 IPC	Under Investigation
22	P6 P.S. Cr.No.718 of 2024 U/s. 8(c) r/w 20(b)(ii)(B), 25, 29(1) NDPS Act	Under Investigation
23	Puzhal P.S. Cr.No.821 of 2024 U/s 8(c), 20(b)(ii)(A) and 42 Prison Act	Under Investigation

5. He further submits that the petitioner has been arrested within the jurisdiction of Pulianthope police and the arrest was intimated to the relative and legal formats have been followed. The petitioner is a known criminal armed with a battery of advocates creates defence for his case against the actual happenings in any event and there is no illegal detention as alleged by the petitioner.

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

7. Considering the facts and circumstances of the case,



Crl.O.P.No.16110 of 2025

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submissions made by the learned counsels on either side, this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, the 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 **learned X Metropolitan Magistrate, Egmore**, 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 petitioner shall report before the respondent Police for a period of three weeks and thereafter, as and when required for further interrogation;

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

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

[e] the petitioner to give an undertaking that if required for being identified by witnesses during



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CrI.O.P.No.16110 of 2025

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 petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

04.06.2025

cda

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

M.NIRMAL KUMAR, J.

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Crl.O.P.No.16110 of 2025

WEB COPY

To

- 1.X Metropolitan Magistrate,
Egmore.
- 2.Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.
- 3.The Central Prison-II, Puzhal.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.16110 of 2025

04.06.2025