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Crl.O.P.No.16112 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16112 of 2025

Ranjith @ Kozhi

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Neravy Police Station,
Karikal, Puducherry State,
Crime No. 12 of 2023.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/Accused on bail in Crime No.12 of 2023 pending on the file of the Respondent police.

For petitioner : Mr.M.Anaimuthuraja

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.04.2025, for the offence punishable under Sections 20(b)(ii) (B) NDPS Act, r/w 8(c) of NDPS Act and 77 of JJ Act, in connection with Crime No.12 of 2023, registered on the file of the respondent, seeks bail.



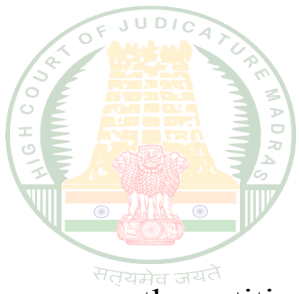
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2. The case of the prosecution is that the petitioner was issued NBW by the District and Sessions Judge, Karaikal, on 01.04.2025 for his non-appearance on 03.01.2025 and 12.02.2025 before the said court. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner was detained by the respondent police in another case and hence, he could not communicate to his counsel to file a petition. Hence, NBW was issued by the trial court for his non-appearance and he has failed to appear before the trial court only for one hearing and all other hearings, he was present before the trial court either in person or through his counsel. He further submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in no way connected with the alleged offence, however, he is suffering incarceration from 30.04.2025. He further submitted that the petitioner is 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 (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner has found involved in selling narcotic drug/ganja to the school students below 18 years and 100 gms of ganja was seized from him at Tharangambadi bus stand. Apart from the present case,



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the petitioner has several cases pending against him and he is a notorious criminal and a rowdy history sheeted in Ennore M5 Police Station, Chennai. He further submitted that if the petitioner is let out on bail, trial would be delayed.

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

6. Considering the facts and circumstances of the case, submissions made by the learned counsel on either side and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his 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 **Judicial Magistrate-I, Karaikal**, 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 appear before the trial court on all hearings except on those hearings during which he is required to appear in another case by filing appropriate petition through his counsel, to proceed with the trial;**



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[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 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.

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gv



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To

1. The Judicial Magistrate-I, Karaikal.
2. The Inspector of Police,
Neravy Police Station,
Karikal, Puducherry State,
3. The Superintendent,
Sub-Jail, Karaikal.
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

gv

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