



Crl.O.P.No.16551 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16551 of 2025

Akash @ Akash Kumar

... Petitioner/A3

Vs.

The State rep by
Inspector of Police,
P5 MKB Nagar Police Station,
Chennai.

... Respondent

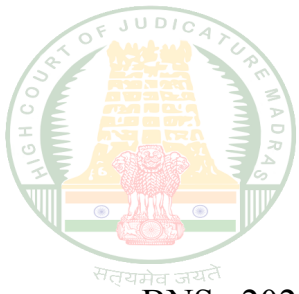
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail, pending investigation in Crime No.136 of 2025 on the file of the respondent.

For Petitioner : Mr.A.G.Abdul Kareem

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.05.2025, for the offences punishable under Sections 296(b), 132, and 109 of



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BNS, 2023, Sections 8(c) r/w 20(b)(ii)(B) of Narcotic Drugs & Psychotropic Substances Act, 1985 and 25(1)(a) of ARMS Act, 1959 in connection with Crime No.136 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that petitioner and other accused were found to be in illegal possession of 1.110 kgs of Ganja. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged offence. He further submitted that based on the confession of A1, the petitioner was arrested. He further submitted that the co-accused/A2 was granted bail by this Court in Crl.O.P.No.9951 of 2025 on 03.04.2025. Hence, the custodial interrogation of the petitioner is not required and he prays 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 10 previous cases. He further submitted that co-accused/A2 was granted bail by this Court in Crl.O.P.No.9951 of 2025 on 03.04.2025.



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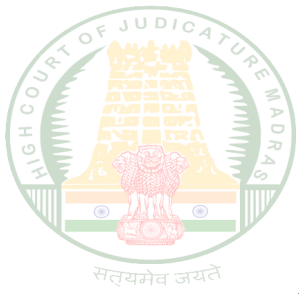
5. Heard both sides and perused the materials available on record.

6. Considering the submissions made by the learned counsels on either side and the fact that co-accused/A2 was granted bail by this Court on 03.04.2025 and since, custodial interrogation of the petitioner is not required, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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, 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 petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders except when he required to appear before the trial



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Court for hearing in connection with other case;

[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;

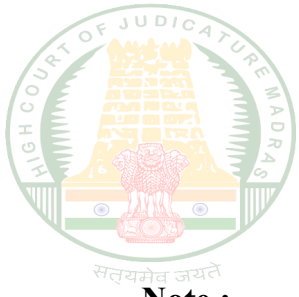
[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[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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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.

To

1.The X Metropolitan Magistrate,
Egmore, Chennai.

2.The Inspector of Police,
P5 MKB Nagar Police Station,
Chennai.

3.The Superintendent,
Central Prison, Puzhal-II,
Chennai.

4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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