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Crl.O.P.No.16953 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.16953 of 2025

1.Prabhu @ Chittu Kuruvi

2.Sarathkumar

... Petitioners

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai, Tamil Nadu.

... Respondent

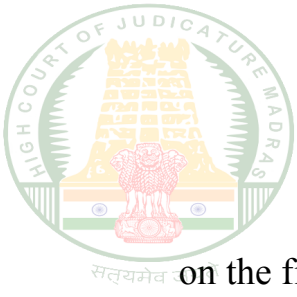
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime
No.689 of 2025 pending investigation on the file of the respondent.

For Petitioners : M/s.M.Illiyas

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

ORDER

The petitioners, who were arrested and remanded to judicial custody
on 02.05.2025, for the offence punishable under Sections 8(c), r/w
20(b)(ii)(B), 29(1) and 25 of NDPS Act in Crime No.689 of 2025, registered



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on the file of the respondent, seek bail.

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2. The case of the prosecution is that petitioners were found in illegal possession of 1.400kg of Ganja. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are an innocent person, they had not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. The petitioners are in judicial custody from 02.05.2025 and hence, further custody of the petitioners is not required. He further 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 petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioners.

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

6. Considering the facts and circumstances of the case, submissions



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made by the learned counsels on either side and the period of incarceration undergone 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/- (Rupees Ten Thousand only) each** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate Court, Thiruvottiur, 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 daily at 10.30.a.m., for a period of three weeks; thereafter as and when required for interrogation;**

[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



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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.

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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



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WEB COPY Court will be watermarked and will also have a QR code.

To

- 1.The Judicial Magistrate Court,
Thiruvottiyur, Chennai.
- 2.The Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai, Tamil Nadu.
- 3.The Central Prison,
Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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This matter is posted today under the caption 'For being mentioned' at the instance of the learned counsel for the petitioner.

2.The learned counsel for the petitioner submits that the petitioner has been granted bail by this Court in Crl.O.P.No.16953 of 2025 dated 03.06.2025. He would submit that in the cause title of the petition, the respondent police has been shown as the Inspector of Police, H-5, New Washermenpet Police Station, Chennai, Tamil Nadu but in other part of the petition, it has been clearly mentioned that the Crime No.689 of 2025 is pending before the Inspector of Police, H-8 Thiruvottiur Police Station, Chennai, Tamil Nadu. Hence, the petitioner is unable to execute the sureties.

3. In view of the same, necessary corrections to be carried out in the cause title of the petition.

In the cause title, the respondent police “the Inspector of Police, H-5, New Washermenpet Police Station, Chennai, Tamil Nadu” shall be replaced with “the Inspector of Police, H-8 Thiruvottiur Police Station, Chennai, Tamil Nadu.



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4. Registry is directed to issue fresh order copy by incorporating the above said changes.

18.06.2025

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Note: Issue order copy on 18.06.2025.

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