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CRL OP No. 17016 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17016 of 2025

D.Naresh @ Makkurundai

Petitioner(s)

Vs

The State rep by
The Inspector of Police,
P-5, M.K.B. Nagar Police Station,
Chennai. Cr.No.205 of 2025

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 483 of BNSS 2023 to enlarge the petitioner/accused on bail pending investigation in Crime No.205 of 2025 on the file of the Respondent police.

For Petitioner(s): Mr.B.Shankar

For Respondent(s): Mr.L.Baskaran, GA (Crl. Side)

**ORDER**

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The petitioner, who was arrested and remanded to judicial custody on 28.04.2025, for the offences punishable under Sections 8(c) read with Section 20 (b) (ii)(B) of NDPS Act read with Section 25(I)(a) Arms Act 1959 in connection with Crime No.205 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that based on the secret information, the respondent police on the day of occurrence conducted search and found the petitioner along with other accused with possession of 1 kg 300 g of ganja illegally. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is no way connected with the alleged offence, however, he is suffering incarceration from 28.04.2025. 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.

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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 five previous cases pending against him and there is no recovery made from this petitioner. Hence, he opposed for grant of bail to the petitioner.

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 counsels on either side and the period of incarceration undergone by the petitioner, 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 Court at 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, everyday at 10.30 a.m., 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 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



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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.

20-06-2025

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Index:Yes/No

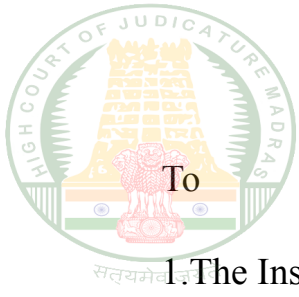
Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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 Inspector of Police
P-5, M.K.B. Nagar Police Station,
Chennai.
2. The X Metropolitan Magistrate
Court, Egmore.
3. The Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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