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CRL OP No. 17141 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17141 of 2025

Ajay Agarrwal,

Petitioner(s)

Vs

State Rep.by Inspector of Police
R-1 Ramapuram Police Station,
Chennai 89 In Crime No. 632 of 2024

Respondent(s)

PRAYER

This petition is filed under Section 482 of BNSS Act 2023 to enlarge the Petitioner on bail in the event of his arrest, concerned in Crime No. 632 of 2024, on the file of the Respondent Police.

For Petitioner(s): Mr.B.Gunasekaran

For Respondent(s): M/s. Leonard Arul Joseph
Selvam GA (crl. Side)



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 121, 351(2) of BNS 2023 and 8(c), 20(b)(ii)(B), 29(1) of NDPS Act, 1985 and under Section 77 of Juvenile Justice (Care & Protection) Act, 2000 in Crime No.632 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 17.11.2024, when the respondent police were in regular patrol duty, at that time, they found the accused selling ganja and seized the contraband. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. Petitioner is ready to abide any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, the learned counsel prays for grant of anticipatory bail to the petitioner.



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4. The learned Additional Public Prosecutor (Puducherry) appearing for the respondent police reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent police and perused the materials available on record.

6. Considering the submissions made by the learned counsel appearing on either sides and since, custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial**



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Magistrate No.1, Poonamallee on condition that of the petitioner shall execute

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 respondent police or the

police officer who intends to arrest or to the satisfaction of the learned

Magistrate concerned, and on proof of payment of deposits, failing which, the

petition for anticipatory bail shall stand dismissed and on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks;

[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

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



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[f] 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;

[g] the petitioner shall not abscond either during investigation or trial;

[h] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

08-07-2025

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To

1.The Inspector of Police

R-1 Ramapuram Police Station, Chennai 89 .

2. The Judicial Magistrate No.1,
Ponnamallee.

3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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