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CRL OP No. 17477 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17477 of 2025

M.Nirmal

Petitioner(s)

Vs

The State of Tamil Nadu rep by its
Inspector of Police
E1-Mammallapuram Police Station,
Chengalpattu. Crime No.132 of 2025.

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 483 of BNSS Act to enlarge the petitioner on bail in Crime No. 132 of 2025, on the file of the respondent police.

For Petitioner(s): M/s.Y.Suresh

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 13.05.2025, for the offences punishable under 8(c), 20(b)(ii)(b) of Narcotic Drugs and Psychotropic Substance Act (NDPS) in connection with Crime No.132 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police conducted search and the first accused was found in possession of 1kg 250 gm of ganja without valid licence. Based on the confession of the A1, the petitioner was arrayed as an accused. Hence, the case.

3. Learned counsel for the petitioner would submit that petitioner is innocent, only based on the confession of the A1, the petitioner was roped into this case. The learned counsel further submitted that the petitioner is suffering incarceration from 13.05.2025 and he 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 (Crl. Side) appearing for the respondent police reiterated the prosecution case and on instructions submitted that 1 kg 250 gm of ganja was seized from the first accused and based on the confession of the first accused, this petitioner was implicated. The learned counsel 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 Judicial Magistrate, Thirukalzhukundram** and on further conditions that:



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[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 on everyday at 10.30 a.m., for a period of three weeks;

[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];

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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

19-06-2025

Gbi

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.



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To

1. The Inspector of Police
E-1-Mammallapuram Police Station,
Chengalpattu.

2. The Judicial Magistrate,
Thirukalzhukundram.
3. The Sub Jail, Chengalpattu
4. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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