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CRL OP No. 17549 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. 17549 of 2025

Sebastian Daniel

Petitioner

Vs

The State Rep by, The Inspector of
Police,
F-2, Egmore Police Station, Chennai
District. (Crime No.323 of 2025)

Respondent

PRAYER This Criminal Original Petition has been filed under Section 483 of BNSS to enlarge petitioner on bail in the Cr.No.323/2025 on the file of the respondent.

For Petitioner: M/s.Santhosh

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

**ORDER**

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The petitioner, who was arrested and remanded to judicial custody on 03.05.2025, for the offences punishable under Section 296(b), 132, 351(2) of BNS, 2023, 8(c), r/w Section 20(b)(ii)(B), 25, 29(1) of Narcotic Drug and Psychotropic Substances Act, 1985 and Section 7 of Cigarette and Other Tobacco Products Act, 2003, in connection with Crime No.323 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused were found to be in illegal possession of 1.300 kgs of ganja. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is no way connected with the above offence and he has been falsely implicated in this case. The petitioner is in judicial custody from 03.05.2025 and hence, further custody of the petitioner is not required. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by



this Court. Hence, he prayed for grant of bail to the petitioner.

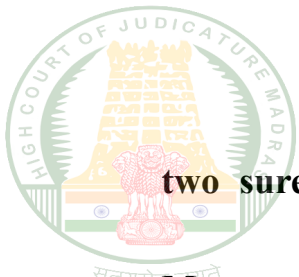
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4.The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that in this case there are totally two accused and the petitioner is arrayed as A2 in this case. He would further submit that the contraband had been seized by the respondent police.

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

6.Considering the facts and circumstances of the case, the submissions made by the learned counsels on either side, the contraband had been seized from the petitioner 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 their 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 XIV**

Metropolitan Magistrate Court, Egmore, 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 daily at 10.30 a.m., for a period of three weeks; thereafter as and when required for interrogation;

[c] the petitioner shall make themselves 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, they 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

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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 State Rep by, The Inspector of Police,
F-2, Egmore Police Station, Chennai District.
2. The XIV Metropolitan Magistrate Court, Egmore.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras, Madras.



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M.NIRMAL KUMAR J.

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