



Crl.O.P.No.17903 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.17903 of 2025

1. Yona @ Yovan

2.Ajith @ Mutta Bajji

.. Petitioners

Vs.

State rep. by
The Inspector of Police
G-5 Secretariat Colony Police Station
Chennai.
Crime No. 127 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner on bail in Crime No.127 of 2025 on the file of Inspector of Police, G-5 Secretariat Colony Police Station, Chennai.

For Petitioner : Mr.M.S.Ramesh

For Respondent : Mr.R.Vinoth Raja
Government Advocate (Crl.side)



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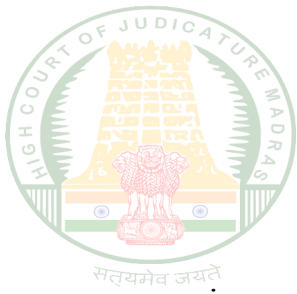
ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.05.2025, for the offence punishable under Sections 8(c) r/w 20(b)(ii)(B) and 29(1) of NDPS Act, 1985 in connection with Crime No. 127 of 2025 registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioners were found to be in illegal possession of 2 Kgs of Ganja. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He also submitted that the petitioners are in no way connected with the alleged offence, however, they are suffering incarceration from 17.05.2025. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl.side) appearing for the respondent police, while opposing for grant of bail to the petitioners, submitted that there are totally four accused in this case and the petitioners, who are arrayed as A1 and A2, were found to be in illegal possession of 2 Kgs of Ganja. He also submits that 13 previous cases were pending against the 1st petitioner and 6



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previous cases were pending against the 2nd petitioner out of which one is similar in nature. Hence, he strongly objected to grant bail to the petitioners.

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and considering 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 separate 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 II Metropolitan Magistrate, Egmore, 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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of 30 days and thereafter, on every Monday at 10.30 a.m., for a period of three months and thereafter, as and when required for interrogation;



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[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 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 Court will be watermarked and will also have a QR code.

To

1. The learned II Metropolitan Magistrate, Egmore, Chennai.
2. The Inspector of Police
G-5 Secretariat Colony Police Station
Chennai.
3. The Superintendent,
Central Prison, Puzhal.
4. The Public Prosecutor,
High Court, Madras.

M.NIRMAL KUMAR, J.



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