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Crl.O.P.No.17784 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.17784 of 2025

Jonathan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
J-8, Neelankarai Police Station,
Chennai District. (Crime No.533 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.533 of 2024 on the file of the respondent Police.

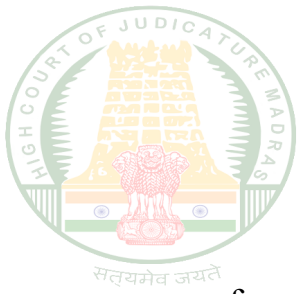
For Petitioners : Mr.R.Sankarasubbu

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.11.2024 for the offences punishable under Sections 8(c) r/w 22(c) & 29(1) of NDPS Act, 1985, in Crime No.533 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that petitioner along with other accused



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were found to be in illegal possession of 51 grams of Methamphetamine and 250 grams of Hasish oil. Hence, the complaint.

3. The contention of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the co-accused/A1, A2, A4 and A5 were granted bail by this Court in Crl.OP.Nos.2741, 173 of 2025 and 31756 of 2024 and 4405 of 2025 dated 19.03.2025, 21.01.2025, 28.01.2025 and 24.02.2025 respectively. He further submitted that from the petitioner 26 grams of methamphetamine was recovered, which is not a commercial quantity. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and hence, he prayed for grant of bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting bail to the petitioner. He further submitted that based on the confession of A3, it revealed that he bought the contraband from A5 at Bangalore and sell the same to A1 and A2. He further submitted that the petitioner is a Cameroon national, Government of Tamilnadu hereby order that he shall reside in the Special Camp identified and located by the District Collector, Tiruchirapalli. He further submitted that the investigation has been completed and the same was taken on e-file dated



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

6. It is seen that except the petitioner all other accused have been granted bail. Admittedly, only 26 grams of Methamphetamine was recovered from the petitioner, which is a non-commercial quantity. It is also seen that from G.O.(ID) No.53 dated 06.02.2025 issued by the Public (Foreigners.I) Department, Secretary to Government, that since the petitioner is a national of Cameroon, directions have been issued for his movement and residence in a Special Camp to be identified and located by the District Collector, Thiruchirappalli.

7. Considering the submissions made by the learned counsel appearing on either side and taking note of the nature of allegation and the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

8. 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 **Judicial Magistrate, Solinganallur Court**, 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,



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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 trial Court on all hearing dates without fail.

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

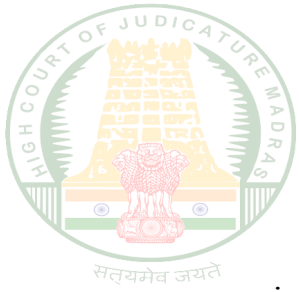
[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[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]**;

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

9. Since the petitioner is a Cameroon National, the respondent shall



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communicate the order of granting bail, to the concerned Registration Officer appointed under Rule 3 of Registration of Foreigners Rules, 1992 as per the decision of the Hon'ble Supreme Court in Frank Vitus vs. Narcotics Control Bureau and others in Crl. Appeal Nos.2814-2815 of 2024 dated 06.01.2025.

06.08.2025

drl

To

1. The Judicial Magistrate at Solinganallur Court,
2. The Inspector of Police,
J-8, Neelankarai Police Station,
Chennai District.
3. The Superintendent, Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.

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