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CrI.O.P.No.17978 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2025

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.17978 of 2025

B.S.Nikkul @ benny

... Petitioner

Versus

State Rep. By Inspector of Police,
F-3 Nungambakkam Police Station.
(Crime No.256 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/Accused-5 on bail in Crime No.256 of 2025 on the file of the respondent.

For Petitioner : M/s.M.Malavika

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.05.2025, for the offence punishable under Sections 8(C) r/w 22(b), 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985, in



Crl.O.P.No.17978 of 2025

connection with Crime No.256 of 2025, registered on the file of the respondent, seeks bail.

2. The contention of the learned counsel for the petitioner is that from the petitioner, only 0.5 grams of Methamphetamine had been recovered from him and the same is a small quantity. She further submitted that the name of the petitioner has been implicated in this case based on the confession statement of A1 and there is no direct evidence against the petitioner. Further, she submitted that the other co-accused have already been granted bail by the Trial Court. She also submitted that the petitioner is willing to abide by any stringent conditions that may be imposed by this Court. Therefore, she prays for grant of bail to the petitioner.

3. Learned Additional Public Prosecutor strongly opposed for grant of bail to the petitioner stating that if the petitioner is enlarged on bail, he would abscond and may commit similar offence and tamper the witnesses.

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



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5. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side and the fact that the seized contraband is not a commercial quantity, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 **XIV Metropolitan Magistrate Court, Egmore** 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, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for further interrogation;**

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



WEB COPY



CrI.O.P.No.17978 of 2025

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

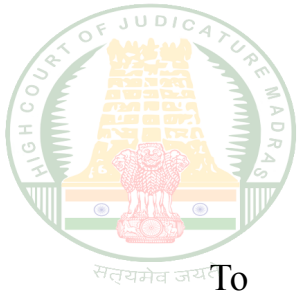
[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[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.

24.06.2025

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Crl.O.P.No.17978 of 2025

To
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- 1.The XIV Metropolitan Magistrate Court,
Egmore.
- 2.The Inspector of Police,
F-3 Nungambakkam Police Station.
- 3.The Superintendent,
Central Prison – II, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court, Madras.



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Crl.O.P.No.17978 of 2025

M.NIRMAL KUMAR, J.

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Crl.O.P.No.17978 of 2025

24.06.2025