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Crl.O.P.No.18796 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18796 of 2025

Devaraj

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Nolambur Police Station,
Chennai.
(Crime No.79 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.79
of 2025 on the file of the respondent Police.

For Petitioner : Mr.S.Kasirajan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
25.05.2025 for the offences under Sections 8(c) r/w 20(b)(ii)(B), 22(b) and 29(1)
of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.79 of
2025, on the file of the respondent Police, seeks bail.



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2. The case of the prosecution is that the accused were found to be in illegal possession of 3 grams of Cocaine. Hence the case.

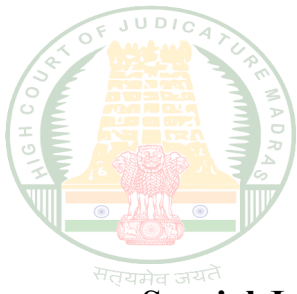
3. The contention of the learned counsel appearing for the petitioner is that the petitioner, who was arrested on 25.05.2025, is innocent and has been falsely implicated in this case. He further submitted that the petitioner was arrested only based on the confession statement recorded from the other accused, who were arrested and released on bail by this Court in Crl.O.P.No.17159 of 2025 dated 20.06.2025. Hence he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting bail to the petitioner.

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 counsel appearing on either side and taking note of 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 **Principal**



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Special Judge for EC and NDPS Act Cases, 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 everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

[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



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M.NIRMAL KUMAR, J.

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imposed and the petitioner released on bail by the 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.

03.07.2025

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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 Principal Special Judge for EC and NDPS Act Cases, Chennai.
2. The Inspector of Police, Nolambur Police Station, Chennai.
3. The Superintendent, Central Prison, Puzhal.
4. The Public Prosecutor, High Court of Madras.

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