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Crl.O.P.No.19764 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.19764 of 2025

Red @ Udhaya @ Udhaya Kumar

... Petitioner

Vs.

State represented by,
The Inspector of Police,
E4, Kattur Police Station,
Thiruvallur.

... Respondent

PRAYER : Criminal Original Petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.106 of 2025 on the file of the respondent Police.

For Petitioner : Mr.D.Sugumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.06.2025 for the offences under Sections 8(c), 20(b)(ii)(B) & 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.106 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 1.300 kilograms of Ganja. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the petitioner, without prejudice to his defence, is ready to deposit a considerable amount to the credit of any charitable Organization or Association. 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 grant of bail to the petitioner. He further submitted that there are two accused in this case and the petitioner is ranked as A2, against whom, 1 previous case is pending.

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

6. Considering the above facts and circumstances of the case and also taking note of the submissions made by the learned counsel on either side 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 shall deposit a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** as a non-refundable deposit by way of Demand Draft to the credit of **Arignar Anna Memorial Cancer**



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Hospital & Research Institute, Kancheepuram, and on such deposit and production of proof, 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 (out of which, one shall be the **blood related surety of the petitioner**), each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Ponneri**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent **Police everyday at 10.30.a.m. and 5.30 p.m., for a period of 15 days and thereafter, as and when required for interrogation;**

[c] the petitioner shall not abscond during during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560]***;



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G.K.ILANTHIRAIYAN, J.

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

14.07.2025

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To

1. The Judicial Magistrate No.I,
Ponneri.
2. The Inspector of Police,
E4, Kattur Police Station,
Thiruvallur.
3. The Superintendent,
Central Puzhal Prison - II,
Chennai.
4. The Public Prosecutor,
High Court, Madras.

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