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Crl.OP.No.22131 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.22131 of 2025

Saravanan @ Thadi Saravanan

... Petitioner

Vs.

The State Rep by its
The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai District.
(Cr.No.266 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in connection
with Cr.No.266 of 2025 on the file of the respondent.

For Petitioner : Mr.D.Padmanabhan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)



ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.05.2025 for the alleged offence under Sections 8(c), 20(b)(ii)(C) and 29(1) of NDPS Act in Crime No.266 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 19.05.2025, at 06.15 a.m., the respondent and his team, on receiving a secret information about the illegal possession of Ganja, had conducted a search and found that the petitioner along with other accused was found to be in illegal possession of 21.140 kilograms of Ganja. The respondent seized the contraband from A1 and arrested him. The petitioner/A2 herein has escaped from the occurrence place before arrest. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the main accused from whom the contraband seized, already granted bail by this Court on 14.07.2025 in Crl.OP.No.19638 of 2025. Since no recovery from the petitioner, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for



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the respondent police reiterated the prosecution case and reported that after completion of investigation, final report has been filed and is yet to be taken on file. He further reported that the petitioner has been actively participated in transporting ganja.

5. This Court while considering the bail petition of co-accused/A1 has recorded that the twin conditions for satisfying the grant of bail was complied with on the ground that the arrest of the petitioner and the alleged contraband recovered from the petitioner was not believed. The relevant Paragraph No.6 of the order passed by this Court in Crl.OP.No.19638 of 2025 which reads as follows:

"6. On perusal of records, it is seen that when the petitioner was taken by the Inspector of Police, M1 Madhavaram Police Station, the petitioner's wife lodged a compliant on 17.05.2025 itself and also lodged further complaints on 18.05.2025 and 19.5.2025. Since the complaints were not considered, she was constrained to file a Habeas Corpus Petition before this Court. Meanwhile, the respondent registered the present case and remanded the petitioner to judicial custody. Therefore, the arrest of the petitioner and the alleged possession of contraband



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Crl.OP.No.22131 of 2022

recovered from the petitioner is not believable and no prima facie case is made out against the petitioner. The petitioner has satisfied the conditions required under Section 37 of NDPS Act”.

6. Considering the facts and circumstances of the cases and the submissions made by both side counsel, I am of the view that since the person from whom the contraband was recovered, has already granted bail and based on the confession given by A1, this petitioner was implicated in this case and arrested. Further, the reasons stated by this Court for releasing the co-accused/A1 is applicable to this petitioner also. Hence, I am inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned XVI Metropolitan Magistrate, George Town, Egmore, Chennai** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety



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Crl.OP.No.22131 of 2025

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 10.30a.m., for a period of thirty days and thereafter as and when required for interrogation ;

[c] 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]**;

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

18.09.2025

Vv

Note :

1. Registry is directed to forthwith upload this order in the Official Website

5/7



Crl.OP.No.22131 of 2022

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 XVI Metropolitan Magistrate,
George Town, Chennai
2. The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai District.
3. The Central Prison,
Puzhal-2, Chennai.
4. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.



WEB COPY



Crl.OP.No.22131 of 2025

Vv

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