



Crl.O.P.No.21372 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21372 of 2025

Vigneshwaran @ Oolaivittu Vicky

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
P-3 Vyasarpadi Police Station,
Chennai. (Crime No.189 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.189 of 2025 on the file of the respondent Police.

For Petitioner : Mr.M.illiyas

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.06.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B), 29(1) of NDPS Act, 1985 in Crime No.189 of 2025 on the file of the respondent police, seeks bail.



CrI.O.P.No.21372 of 2025

WEB COPY

2. The case of the prosecution is that the accused were found to be in illegal possession of 1.225 kilograms of Ganja. Hence the case.

3. The contention of the petitioner is that the petitioner, who has been arrayed as A5, is innocent and has been falsely implicated in this case. He further submitted that there was no recovery from the petitioner. He further submitted that he was arrested based on the confession of the co-accused. 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 the grant of bail to the petitioner, submitting that there are five accused in this case and the petitioner herein is ranked as A5. He further submitted that there was no recovery from the petitioner and that the petitioner has 3 previous cases, similar in nature pending against him.

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 nature of allegation and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.



Crl.O.P.No.21372 of 2025

WEB COPY

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 **X Metropolitan Magistrate, Egmore, 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;



CrI.O.P.No.21372 of 2025

WEB COPY

[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.

30.07.2025

drl

To

1. The X Metropolitan Magistrate, Egmore, Chennai,
2. The Inspector of Police,
P-3 Vyasarpadi Police Station,
Chennai.
3. The Superintendent, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



WEB COPY



Crl.O.P.No.21372 of 2025

M.NIRMAL KUMAR, J.

drl

Crl.O.P.No.21372 of 2025

30.07.2025