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Crl.OP.No. 26239 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24-09-2025**

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 26239 of 2025

Pratheesh Kumar

Petitioner

Vs

The State rep. by

The Inspector of Police

P-5, MKB Nagar Police Station

Chennai.

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest pending investigation in Cr.No. 450 of 2025 on the file of the respondent police.

For Petitioner : Mr.Elumalai Arumugam

For Respondent : Mr.S.Udayakumar

Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c), 20(b), (ii), (B) of NDPS Act, 25(1A) Arms Act, in Crime No. 450 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The allegation against the petitioner is that the petitioner was in possession of 1.100 gram kanja illegally. Hence the respondent police registered a case against him.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He submits that he has not committed any offence as alleged by the prosecution. He also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that one previous case traffic offence is pending against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.



5. Heard the learned counsels and perused the materials available on record.

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

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **X Metropolitan Magistrate at Egmore, Chennai**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



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[b] 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;

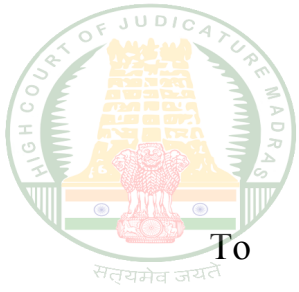
[c] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of one week and thereafter, as and when required for interrogation;

[d] 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]**;

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

24.09.2025

MSM



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To

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1. The X Metropolitan Magistrate at Egmore, Chennai,
2. The Inspector of Police
P-5, MKB Nagar Police Station
Chennai.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MSM

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