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CrI.OP.No.27011 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

CrI.O.P.No.27011 of 2025

Sarath @ Sarath Kumar Mandal

... Petitioner

Vs.

The State Rep by
Inspector of Police,
PEW, Gummidipoondi Police Station,
Thiruvallur.

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in C.C.No.395 of 2025 in Cr.No.304 of 2024 on the file of the I Additional Special Court for Exclusive Trial of Cases under NDPS Act.

For Petitioner : Mr.S.Venkatesan
for Ms.G.Gowsalya

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.02.2025 for the alleged offence under Section 8(c), 20(b)(ii)(C), 29(1)



and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985 in C.C.No.395 of 2025 in Cr.No.304 of 2024 on the file of the I Additional Special Court for Exclusive Trial of Cases under NDPS Act.

2. The case of the prosecution is that on 12.11.2024, the respondent received a secret information and when they intercepted a vehicle, they found A1 to A3 were in illegal possession of 40 kgs of ganja. Their confession revealed that they had purchased the contraband from petitioner herein/A4 and sole to the to A5 and A6 Hence, the present complaint has been registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case. He further submitted that he is in judicial custody from 22.02.2025. further custody of the petitioner is not required and he is ready to abide by any stringent conditions that may be imposed by this Court and also ready to co-operate for investigation.

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



the respondent police reiterated the prosecution case and on instructions reported that after completion of investigation, final report filed before the learned I additional Special Court Exclusive Trial of Cases under NDPS Act and the same has been taken on file in C.C.No.395 of 2025.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.Side) appearing for the respondent police.

6. Admittedly, the final report in this case filed. The prosecution has only relied on the confession statement of the co-accused to state that this petitioner is a supplier of the contraband. Except the confession statement, no other documents produced before this Court connecting the petitioner with the contraband or with the alleged act of A1 to A3. There is no recovery effected from this petitioner. The co-accused/A5 was enlarged on bail by this Court vide order dated 07.04.2025 in Crl.OP.No.10375 of 2025. Hence, I am of the view that this petitioner is also entitled for bail under Section 37 of NDPS Act on the grounds discussed above, with certain conditions:



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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 **Judicial Magistrate Court, Gummidipoondi** 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 daily at 10.30 a.m., for a period of three weeks 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



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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.

22.10.2025

Vv

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 **Judicial Magistrate Court, Gummidipoondi**
2. The Inspector of Police,
PEW, Gummidipoondi Police Station,
Thiruvallur.
3. The Central Prison-I,
Puzhal, Chennai.



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4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

Vv

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