



WEB COPY



Crl.O.P.No.28172 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.28172 of 2025

Siva Shankaran @ Shankar

... Petitioner

Vs.

The State represented by
The Inspector of Police,
R-10 MGR Nagar Police Station,
Chennai District.
(Crime No.139 of 2025)

... Respondent

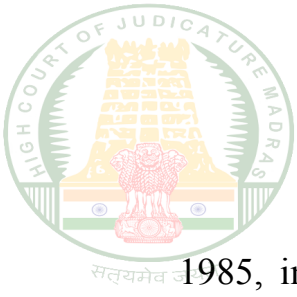
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner/Accused on bail in Crime No.139 of 2025 pending on the file of the respondent Police.

For Petitioner : Mr.P.Muthamizhselvakumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.04.2025, for the offence punishable under Sections 8(c) read with Section 20(b)(ii)(B) of Narcotics Drugs and Psychotropic Substance Act,



Crl.O.P.No.28172 of 2025

1985, in Crime No.139 of 2025, registered on the file of the respondent,
WEB COPY
seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of 2.200 kgs of ganja. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case for the purpose of detaining him under Tamil Nadu Act 14 of 1982 since he is having some previous cases and further submitted that, petitioner's detention order has been revoked. Hence, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner has eight previous cases including one under NDPS Act.

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



CrI.O.P.No.28172 of 2025

WEB COPY

6. Considering the nature of the offence committed by the petitioner and taking into account the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions:

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**, each for a like sum to the satisfaction of the learned **XXIII Metropolitan Magistrate at Saidapet Court**, 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 **10.00 a.m.** for a period of two weeks, and thereafter as and when required for interrogation;



WEB COPY



CrI.O.P.No.28172 of 2025

[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;

[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.

15.10.2025

sma



Crl.O.P.No.28172 of 2025

WEB COPY

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 XXIII Metropolitan Magistrate, Saidapet Court.
- 2.The Inspector of Police,
R-10 MGR Nagar Police Station,
Chennai District.
- 3.The Central Prison, Puzhal-II
- 4.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.28172 of 2025

K.RAJASEKAR, J.

sma

Crl.O.P.No.28172 of 2025

15.10.2025