



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 28615 of 2025

R.Darshan

Petitioner(s)

Vs

The State rep by The Inspector of
Police
C-5, Kothavalchavadi Police Station,
Chennai.
Crime No.80/2025.

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 483 of BNSS to enlarge the accused/petitioner on bail pending in C.C.No.949 of 2025 on the file of Learned II Additional Principal Special Court under EC and NDPS Court at Chennai.

For Petitioner(s): Mr.V.Arul

For Respondent(s): Mr.A.Gopinath, GA (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.05.2025, for the offences punishable under Sections 8(c), 22(b), 29(1) NDPS



Act 1985 @ 8(c) read with Sections 22(c), 20(b)(i)(A), 25 and 29(1) of NDPS

Act 1985, in Crime No.80 of 2025, registered on the file respondent police, seeks bail.

2.The case of the prosecution is that on 13.05.2025, the Sub-Inspector of Police attached to the respondent received a secret information at about 14.15 hours informing that a person wearing grey colour jeans and black colour Tshirt was in possession of Methamphetamine and he was standing near Parvathi Textile Shop. The information received was placed before the superior officer and thereafter, the Sub-Inspector of Police along with one Special Sub-Inspector of Police and Head Constable went to the scene of occurrence. The informant identified the accused and moved away. Thereafter, at about 15.15 hours the identified person, whose name was Manish Kumar (A1) was enquired, Section 50 of NDPS Act was given and thereafter, he was searched. The said Manish Kumar produced one white cover from his pant pocket which contains Methamphetamine of 3.88 grams. Thereafter on confirming the same with test kit, Manish Kumar was produced before the Inspector of Police along with



Section 57 report and a case in Crime No.80 of 2025 registered for the offence under Sections 22(b), 29(1) and 8(c) of NDPS Act. The said Manishkumar gave a confession that Methamphetamine was purchased from one Rohit Kumar of Rajasthan who procured the same from Bengaluru and peddling. The investigation continued, the said Rohit kumar arrested on 16.05.2025 and the other accused, namely, Jitendra Soni on 19.06.2025, Dharsan/petitioner herein, Amithu Abik, Mohammed Sidiq/A5, Selvakumar @ Abdula were arrested on 21.05.2025. From A5, 77.88 grams of Methamphetamine seized and the case was altered to Sections 8(c) r/w. 22(c), 20(b)(ii)(A), 25 and 29(1) of NDPS Act on 22.05.2025.

3. The learned counsel for the petitioner submitted that the petitioner is ranked as A3 and there was no recovery from him and the allegation that the petitioner was involved in selling the Methamphetamine in collusion with A1, A2 and A5. He further submitted that similarly placed accused were already granted bail in Crl.OP Nos.19112, 17775 & 20875 of 2025 dated 13.08.2025 and prayed for the grant of bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police filed his counter and submitted that on 13.05.2025, at about 15.15 hours, when the Inspector of Police was in a station duty, at that time, he received secret information about the illegal sale of contraband. Thereafter he along with the Special Sub-Inspector of Police and Head Constable went to the scene of occurrence place (i.e.) Mint Street, near Parvathy Textiles. At that time, one unknown person was standing in a suspicious manner. On seeing the respondent police that person tried to escape from the place, but the respondent police caught him and enquired, since he was giving contradictory versions, on suspicion searched A1/Manishkumar. During enquiry, it came to know that the accused person's name is Manishkumar. During the search, A1 was found in possession of 3.88 grams of Methamphetamine. The respondent police seized the contraband under cover of seizure mahazar in the presence of witnesses. Hence, a case registered in C-5 Kothawalchavadi Police Station in Crime No.80 of 2025, U/s.8(c), r/w.22 (b), 29(1) of NDPS Act against the accused person on 13.05.2025 at about 19.30 hours, Inspector took up the case for further



investigation. Thereafter, A1 arrested, recording his confession in the presence of witnesses, contraband was seized and produced the accused before the learned VIII Metropolitan Magistrate, George Town, Chennai and remanded him to judicial custody.

5. During the course of investigation, A2/Rohit Kumar was arrested on 16.05.2025, his confession statement recorded in the presence of witnesses and produced before VIIIth Metropolitan Magistrate, George Town, Chennai and remanded him to judicial custody. Thereafter, CDR Report of the accused persons A1, A2, A3/the petitioner herein, A7 obtained and from the report, it revealed that the accused person made conversation for long duration frequently. A3/petitioner, A4/Amithu Abik, A5/Mohammed Sidiq, A6/Selvakumar @ Abdula all arrested on 21.05.2025. A3 and A4 contacted through Instagram ID and information communicated and they kept the message setting so that messages will get disappeared once it is read. The confession statement of A5/Mohammed Sidiq and A6/Selvakumar @ Abdula recorded in the presence of witnesses and produced before learned VIII Metropolitan



Magistrate, George Town, Chennai and remanded them to judicial custody.

A7/Jithendarsoni was arrested on 19.06.2025 and recorded his confession statement in the presence of witnesses. The seized contrabands along with seized properties produced before the Special Court under EC & NDPS, Chennai vide A.No.532 of 2025 and B.No.349 of 2025 dated 02.06.2025. Further A2 earlier filed a bail petition before the Special Court under EC and NDPS Act, Chennai in Crl MP No.2658 of 2025 and the same was dismissed on 09.06.2025. He would submit that the investigation is in progress and some more accused to be secured. Hence, strongly opposed the bail petition.

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

7.Considering the fact that similarly placed accused i.e., intermediately quantity effected from A1, A2 & A7 were already released on bail and it is specifically stated that there is no recovery from them. Further, this Court elaborately considered the co-accused bail application and granted bail. The reason stated by this Court for granting bail to A1, A2 & A7 is applicable to this



case and the petitioner herein also. Considering the period of incarceration undergone by the petitioner from 21.05.2025, 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 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 II Additional Principal Special Court Under EC & NDPS Court, 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] On breach of any of the aforementioned conditions,



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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.

30-10-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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.



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To

1. The Inspector of Police
C-5, Kothavalchavadi Police Station,
Chennai.

2. The II Additional Principal
Special Court Under EC &
NDPS Court, Chennai.
3. The Central Puzhal Prison.
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.

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