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Crl.OP.No.29018 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.29018 of 2025

Prabhakaran

... Petitioner

Vs.

State:

Inspector of Police,
T-5, Vanagaram Police Station,
Vanagaram, Chennai.
(Cr.No.220 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Cr.No.220 of 2025 on the file of the respondent police station.

For Petitioner : Mr.Ma.Gowthaman
for Mr.S.Mareeswaran

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



ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.09.2025 for the alleged offence under Sections 8(C), 20(b)(ii)(A), 22(b), 25 and 29(1) of NDPS Act in Crime No.220 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on the secret information about the illegal transport of Narcotic substance, the respondent went to the scene of occurrence, they found that the accused persons found to be in possession of 18 grams of Methamphetamine, 150 grams of ganja and 12 numbers of MDMA (6 grams). The further case of the prosecution is that the accused persons have received the contraband from A4 and selling the same to the local public in Chennai for his personal gain and the accused persons were arrested along with the seized contraband. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He further submitted that the co-accused A1



to A3 were transported the contraband and the same were recovered from them and only 3 grams of Methamphetamine and 06 table of MDMA (3 grams) were recovered from this petitioner/A7, which is an intermediate quantity. The contraband recovered from the entire case is only a intermediate quantity. The petitioner is in judicial custody from 21.09.2025 He further submitted that the petitioner is ready to abide by any conditions that may be imposed by the this Court. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the investigation in this case is not concluded. Totally, there are seven accused involved in this case and all of them were arrested. Hence, he opposed to grant bail to the petitioner.

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

6. I have gone through the FIR and the counter filed by the respondent which reveals that the specific overt act against the petitioners is



that the accused person have purchased the above said contraband from Bangalore and selling the same to the local public in Chennai for their personal gain. The contraband seized from the accused persons is an intermediate quantity and even the total quantity of contraband seized is also falls within the intermediate quantity. Hence, the rigors of Section 37 of NDPS Act is not applicable to these petitioner. Further reported that the petitioner is not having any previous cases.

7. Considering the above facts and the period of incarceration, I am inclined to grant bail to the petitioner with certain conditions.

8. 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 **learned Judicial Magistrate-II, Poonamalle** 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 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 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.

28.10.2025

Vv



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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-II, Poonamalle**
2. The Inspector of Police,
T-5, Vanagaram Police Station,
Vanagaram, Chennai.
3. The Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

Vv

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