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Crl.O.P.No.29152 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.29152 of 2025

Kalaivanan

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
G-2 Periyamet Police Station,
Chennai.
(Crime No.286 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
Crime No.286 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. C. Jagan

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.06.2025 for the offences punishable under Sections 8(c) r/w 22(c) and 29(1) of NDPS Act in Crime No.286 of 2025, registered on the file respondent police, seeks bail.

2. The case of the prosecution is that on 29.05.2025, based on a secret information, the respondent police went to the spot and found that the accused persons were in illegal possession of 1.541 kilograms of Methaqualone; that upon investigation, it is revealed that the petitioner is also involved in the offence. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and no contraband was seized from the petitioner herein; that the alleged contraband involved in this case is not a narcotic substance; that the petitioner is in judicial custody since 12.06.2025; that the co-accused were already granted bail by this Court, vide order dated 17.10.2025 and 23.10.2025 in Crl.O.P.No.28489 and 28751 of 2025, respectively; and that the petitioner



is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and reported that the chemical analysis test on the sample, reveals the presence of 'Tapentadol', which is not covered under Narcotic Drugs and Psychotropic Substances Act, 1985; and that the major part of the investigation is completed.

5. Considering the facts and circumstances of the case, the contraband involved in this case is not a narcotic substance and the major part of the investigation has been completed, the co-accused was already enlarged on bail, the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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 II Metropolitan Magistrate, Egmore 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 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 by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;



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

27.10.2025

stn

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 II Metropolitan Magistrate,
Egmore Court, Chennai.
2. The Inspector of Police,
G-2 Periyamet Police Station,
Chennai.
(Crime No.286 of 2025)
3. The Superintendent,
Central Prison, Puzhal -2, Chennai.

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stn

4. The Public Prosecutor,
High Court of Madras.

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