



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 29600 of 2025

1. Thennavan

2.Rajendra Patra

Petitioner(s)

Vs

The State of Tamil Nadu Rep by,
The Inspector of Police,
PEW - Police Station, Vellore District.
Cr.No.129/2025.

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 483 of BNSS to enlarge the petitioners on bail in Cr.No.129/2025 on the file of the respondent.

For Petitioner(s): Mr.C.Deepakkumar

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 23.09.2025, for the alleged offence punishable under Sections 8(c) read with



Section 20(b)(ii)(B) & 29(1) of NDPS Act in Crime No.129 of 2025, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners herein were found in possession of 5 Kgs of Ganja. Hence, the present complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioner are innocent persons and they have been falsely implicated in this case. He would further submit that the petitioners were arrested and they are in judicial custody from 23.09.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioners reiterated the prosecution case and stated that the 2nd petitioner is hailing from Orissa and he has no previous antecedents; that the 1st petitioner is having one previous case; that the



total quantity of contraband involved in this case is of intermediate quantity; and that the investigation of this case is pending. Therefore, he opposed for grant of bail to the petitioners.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the facts of the case, the quantity of contraband involved in this case, the 2nd petitioner has no previous antecedents, he has no case under NDPS Act and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the 2nd petitioner with certain conditions. As far as the 1st petitioner is concerned that he is having one previous previous case and hence this Court is not inclined to grant bail to the 1st petitioner.

7. Accordingly, the 2nd 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 Judicial*

Magistrate No.1, Vellore and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the 2nd 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] the 2nd petitioner shall not abscond either during investigation or trial;

[d] the 2nd petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the 2nd petitioner in accordance with law as if the conditions have been imposed and the 2nd 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)AIR SCW
5560];

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

8. This Criminal Original Petition is dismissed in respect of first
petitioner.

30-10-2025

Gbi

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 official website of this Court will be watermarked and will also have a QR code.**



WEB COPY

1. The Inspector of Police,
PEW - Police Station, Vellore District.
2. The Judicial Magistrate No.1,
Vellore.
3. The Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.

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