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Crl.O.P.No.3078



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.30780 of 2025

1.Pavan Kumar
2.Hasik Basha
3.Arumugam

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
T-5, Vannagaram Police Station,
Chennai.
(Crime No.220 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail in T-5 Vanagaram Police Station, Crime No.220 of 2025 pending on the file of respondent police.

For Petitioners : Mr.P.Krishna Moorthy

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 18.09.2025, for the alleged offence punishable under Sections 8(c), 20(b)(ii)(A), 22(b), 25, 29(i) of NDPS Act, 1985 in Crime No.220 of 2025, on the file of the



respondent police, seeks bail.

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2. The case of the prosecution is that based on the secret information about the illegal transport of a Narcotic substance, the respondent went to the scene of occurrence. They found that the accused persons were 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 had received the contraband from A4 and were selling the same to the local public in Chennai for their personal gain, and the accused persons were arrested along with the seized contraband. Hence, the present case.

3. Learned counsel appearing for the petitioners/A4 & A6 submitted that the petitioners are innocent persons and they have 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. He further submitted that 13 grams of Methamphetamine and 150 grams of ganja were recovered from A1, which is an intermediate quantity. The contraband recovered from the entire case is also a intermediate quantity. The petitioners are in judicial custody from 18.09.2025. He further submitted that the co-accused has already been granted bail by this Court in Crl.O.P.No.28721 of



2025 dated 28.10.2025.Hence, he prayed for grant of bail to the petitioners.

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4. Learned Government Advocate (Crl.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 for grant of bail to the petitioners.

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 petitioner 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 petitions. Further reported that the petitioners are not having any previous cases and the the co-accused has already been granted bail by this Court in Crl.O.P.No.28721 of 2025 dated 28.10.2025.

7. Considering the above facts and the period of incarceration, I am



inclined to grant bail to the petitioners, subject to certain conditions.

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8. Accordingly, the petitioners are ordered to be released on bail on their 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, Poonamallee*, 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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the 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



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against the petitioner in accordance with law as if the 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)AIR SCW 5560];

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

11.11.2025

mpa

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.

K. RAJASEKAR, J.

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To

1.The Judicial Magistrate-II, Poonamallee.

2.The Inspector of Police,
T-5, Vannagaram Police Station, Chennai.

3.The Superintendent of Police, Central Prison, Puzhal.

4.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.30780 of 2025

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