



Crl.OP.No.31850 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.31850 of 2025

1.Kannan @ Rajesh

2. Babu

... Petitioners

Vs.

State rep. By

The Inspector of Police,

T-14, Mangadu Police Station,

Avadi District.

... Respondent

(Cr.No.771 of 2025)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in pending
investigation in Cr.No.771 of 2025 on the file of the respondent police.

For Petitioners : Mr.A.Vinothkumar

For Respondent : Mr.A.Gopinath

Government Advocate (Crl. Side)



ORDER

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The petitioners/A1 and A2, who were arrested and remanded to judicial custody on 12.10.2025 for the alleged offence under Sections 8(c) r/w 20(b)(ii)(B) and 29(1) of NDPS Act, 1985 in Cr.No.771 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners/A1 and A2 along with co-accused had possessed 1.400 kgs of ganja for sale and the same had been seized by the respondent police.

3. Learned counsel appearing for the petitioners submitted that the petitioners have not committed any such offence and they have been falsely implicated in this case. He further submitted that they are ready to abide any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (CrI.Side) appearing for the respondent police reiterated the prosecution case and reported that there are



nine previous cases against the first petitioner including murder case and the second petitioner is having one murder case. Hence, he opposed for grant of bail to the petitioners.

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

6. Considering the facts and circumstances of the case and the period of incarceration, the first petitioner is having nine previous cases, I am not inclined to grant bail to the first petitioner, as far as the second petitioner is concerned, he is having one previous cases, I am inclined to grant bail to the second petitioner.

7. Accordingly, the second 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, Sriperumpudur, Kancheepuram District* 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 second petitioner shall report before the respondent police at 10.30 a.m for a period of four weeks and thereafter as and when required for interrogation;

[c] the second petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the second petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the second petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the second petitioner in



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accordance with law as if the aforementioned conditions have been imposed and the second 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]**;

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

21.11.2025

Vv

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

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1. The ***Judicial Magistrate, Sriperumpudur, Kancheepuram District***
2. The The Inspector of Police,
T-14, Mangadu Police Station,
Avadi District.
3. The Central Prison
Puzhal-II, Chennai
4. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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