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CRL OP No. 35844 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35844 of 2025

Sanjay
S/o.Ranjith Kumar, No.155, 6th Block
Periyar Nagar, Pulianthope,
Chennai - 12

Petitioner(s)

Vs

1. The State Rep. by Its,
The Inspector of Police, Basin Bridge
Police Station, Chennai Cr.No.544 of
2025

Respondent(s)

PRAYER:- Criminal Original Petition filed under Section 483 of the BNSS, to enlarge the petitioner on bail in Cr.No.544 of 2025 on the file of the respondent police.

For Petitioner(s): Mr.J. Ravikumar

For Respondent(s): Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.12.2025 for the offences punishable under Sections 8(c), r/w. 22(b)(ii)(A) and Section 123 of BNS and Section 24(1) of COTPA Actin Cr. No.544 of 2025



on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 26.11.2025 the Accused No.1 was found in possession of 54 grams of ganja and 20 pockets of Hans(Tobacco), on confession of the Accused No.1, the petitioner herein arrayed as one of the accused in the above said crime. Hence the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case against the petitioner for the offences punishable under Sections 8(c), r/w. 22(b)(ii)(A) and Section 123 of BNS and Section 24(1) of COTPA Act and he was arrested and remanded to judicial custody on 16.12.2025. He would submit that only based on the confession statement given by the Accused No.1, the petitioner has been implicated in this case and no contraband was recovered from the petitioner. In fact, the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and the earlier bail application filed by the petitioner was dismissed. Therefore prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that Accused No.1 has possessed 54 grams of Ganja and 20 pockets of Hans (Tobacco) and based on the confession given by the Accused No.1, the petitioner was arrested and if he is released on bail, he may abscond and would



commit similar kind of offences. Hence, he strongly opposed to grant bail to the petitioner.

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

6. Considering the rival submissions made on either side and taken into consideration that no contraband was recovered from this petitioner, and there are three cases pending against the petitioner and the same are not in similar kind of offences, and also the fact that the petitioner was arrested only based on the confession statement, and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned **Metropolitan Magistrate No.X, Egmore, Chennai** and on further conditions that:

[b] the petitioner shall report before the concerned respondent Police on all working days at 10.30 a.m. until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;



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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

26-12-2025

kkn/smv

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



Note:

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To

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- 1.The Inspector of Police, Basin Bridge
Police Station, Chennai.
- 2.The Metropolitan Magistrate No.X,
Egmore, Chennai.
- 3.The Central Prison.II,
Puzhal, Chennai.
- 4.The Public Prosecutor,
Madras High Court,
Chennai.



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P.DHANABAL J.

KKN/SMV

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