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CRL OP No. 35867 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35867 of 2025

Arun
S/o.Ashokan, iNo.7/137A,
Sathyamoorthi Nagar, Kakanji Colony,
Vyasarpadi, Chennai - 600 039

Petitioner(s)

Vs

The State Rep By its,
The Inspector of Police,
K-1 Sembium Police Station, Chennai
Cr.No.398 of 2025

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 483 of the B.N.S.S, 2023, to enlarge the petitioner on bail pending investigation in Cr.No.398 of 2025 on the file of the respondent.

For Petitioner(s): Mr.R.Dinesh

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.11.2025 for the offences punishable under Sections 8(c), 20(b)(ii)(B) of NDPS Act, 1985 in Cr. No.398 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that while the respondent police was in duty, they found that one person was standing with a black colour bag in a suspicious manner thereafter, the accused was tried to escape but the respondent police caught and enquired and seized the bag and opened the bag and found 1.150 kgs of Ganja. Thereafter, the respondent police seized the drugs from the accused then the petitioner was arrested. 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), 20(b)(ii)(B) of NDPS Act, 1985 in Cr. No.398 of 2025 and he was arrested and remanded to judicial custody on 06.11.2025. According to the prosecution, the petitioner had illegally possessed 1.150 grams ganja. In fact, the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. This case has been foisted against the petitioner for statistical purpose. He would further submit that the earlier bail applications were dismissed. Therefore prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that petitioner has possessed 1.150 grams of Ganja and bail petition filed by the petitioner was dismissed. If the 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, considering the fact that contraband involved is not a commercial quantity, though there are fifteen previous cases pending against the petitioner and the same are not similar kind of offences, in all cases, he was granted bail and the petitioner was arrested and is in judicial custody from 06.11.2025, 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 **V-Metropolitan Magistrate at 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 she is accused, or suspected, or of the commission of which she is suspected;

[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 her 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 :

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.



1.The Inspector of police, K-1
Sembium Police Station, Chennai.

2.The V-Metropolitan Magistrate,
Egmore.

3.The Central Prison,
Puzhal, Chennai.

4.The Pubic Prosecutor,
Madras High Court,
Chennai.



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P.DHANABAL J.

KKN/SMV

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