

(2025) 11 MAD CK 2001

In the Madras High Court

Case No : Criminal Original Petition No. 31744 Of 2025

Sankaranarayanan

APPELLANT

Vs

Inspector Of Police

RESPONDENT

Date of Decision : 20-11-2025

Acts Referred:

Narcotic Drugs And Psychotropic Substances Act, 1985 — Section 8(c), 22(c), 29(1)
Bharatiya Nyaya Sanhita, 2023 — Section 269

Citation : (2025) 11 MAD CK 2001

Hon'ble Judges : K. Rajasekar, J

Bench : Single Bench

Advocate : N.Suman Kumar, A.Gopinath

Judgement

K.Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 16.08.2025, for the offence punishable under Sections 8(c), 22(c), 29(1) of NDPS Act, in Crime No.286 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that on 28.05.2025, based on a secret information, the respondent police went to the place of occurrence and found that the accused were in illegal possession of 1.541 kgs of Methaqualone; that upon investigation, it is revealed that the petitioner is also involved in the offence. Hence the case.

3. The learned counsel for the petitioner submitted that the allegations are false; that co-accused was granted bail by this Court in CrI.O.P.No.28489 of 2025, CrI.O.P.No.28751 of 2025, CrI.O.P.No.29152 of 2025 & CrI.O.P.No.29587 of 2025; that the petitioner is in custody from 16.08.2025 and further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioners.

4. The learned Government Advocate (CrI Side) submitted that, investigation in

this case almost completed and co-accused had been released on bail in CrI.O.P.No.28489 of 2025, dated 17.10.2025, CrI.O.P.No.28751 of 2025, dated 23.10.2025, CrI.O.P.No.29152 of 2025 dated 27.10.2025, CrI.O.P.No.29587 of 2025 dated 30.10.2025. However, he opposed to grant bail to the petitioner.

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

6. Considering the nature of allegations, period of incarceration and the fact that the co-accused who were similarly placed with the petitioner are already granted bail by this Court and F.S.L. report has stated the contraband is not Methaqualone. Hence this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties, for a like sum to the satisfaction of the II Metropolitan Magistrate Court, Egmore, Chennai, and on further conditions that:

[a] the sureties shall affix his 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 petitioner shall report before the respondent police at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation.

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];

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