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CRL O.P. No.20121 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :20.08.2024

CORAM

**The Hon'ble Mr.Justice P.DHANABAL**

**CRL OP.No.20121 of 2024**

Annadurai

... Petitioner/Accused

Vs

**State rep. by:-**

The Inspector of Police,  
Ammamet Police Station,  
Erode District.

(Crime No.306 of 2024)

...Respondent/Complainant

For Petitioner : Mr. C.Deepakkumar  
For Respondent : Mr. S. Vinoth Kumar  
Government Advocate  
[Criminal side]

**PETITION FOR BAIL Under Sec.483 of B.N.S.S.**

**PRAYER: -** The Criminal Original Petition is filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant bail to the petitioner/Accused in Crime No. 306 of 2024 on the file of the respondent police.



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**ORDER**

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The petitioner/accused, who was arrested and remanded to judicial custody on 05.07.2024 for the offences punishable under Section 8 (c) r/w 20 (b) (ii) (B) of NDPS Act, in Crime No.306 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that during routine patrol made by the respondent police, the petitioner was found in illegal possession of 2 kgs of Ganja leaves and hence, he was arrested and remanded to judicial custody on 05.07.2024. Hence, the complaint.

3. The learned counsel for the petitioner would contend that the petitioner is innocent and a false case has been foisted against him. He is in judicial custody for more than 25 days. Hence, he seeks bail.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner was arrested and remanded to judicial custody on 05.07.2024 for illegal possession of 2 kgs of Ganja leaves. The properties were seized from the accused and already a bail application was dismissed by the Special Court for EC/NDPS Act, Coimbatore. Hence,



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he opposed to grant bail to the petitioner.

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5. Heard both side counsels and perused the materials available on record.

6. Considering the rival submissions made on either side and considering the nature of offences and the quantity of materials involved in this case, and also considering the period of incarceration, I am 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 **Judicial Magistrate No.1, Bhavani**, and on further conditions that:

**[b] the petitioner shall report before the Ammapet Police Station for 30 days.**

[c] the petitioner shall not commit any offences of similar nature.



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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[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.

**20.08.2024**

vca  
index: Yes/No  
Internet: Yes/No  
Speaking/Non Speaking order

To

1. The Judicial Magistrate No.1 Court,



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Bhavani.

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2. The Inspector of Police,  
Ammamet Police Station,  
Erode District.
3. The Central Prison, Coimbatore.
4. The Public Prosecutor, High Court, Madras.



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**P.DHANABAL,J.**

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