



Crl.OP.No.2731 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.2731 of 2025

V.Tamilarasan

... Petitioner

Vs.

State by Tamil Nadu,
The Inspector of Police,
K.V.Kuppam Police Station,
Vellore District.
(Crime No.02 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to enlarge the petitioner on anticipatory bail on event of arrest in Crime No.02 of 2025 on the file of the respondent police.

For petitioner : M/s.Deepak kumar C

For Respondent : Mr.S.Balaji,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 8(c) r/w 20(b)(ii)(A),25 and 29(1) of Narcotics Drugs and Psychotropic Substances Act, 1985, in Crime No.02 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that, on 04.01.2025, based on secret



information, the respondent police, while conducting vehicle check-up, intercepted a vehicle bearing No.TN 05 AV 4991, ridden by A1, who was found to be in illegal possession of 1.200 kilograms of Ganja. Based on the the confession of A1, the petitioner/A2 was arrayed as an accused. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that only on confession of A1, the petitioner has been arrayed as an accused; and that the petitioner has no previous case. Therefore, he prayed for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, per contra submitted that the petitioner along with arrested accused were found to be in illegal possession of 1.200 kilograms of Ganja. Therefore, he opposed for granting anticipatory bail to the petitioner.

5. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.



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6. Considering the quantity of contraband seized from A1; that there is no previous case against the petitioner; that he is sought to be implicated as the confession of A1; and that custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned **Judicial Magistrate, Katpadi**, on condition that the petitioner shall 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 respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or



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Bank pass Book to ensure their identity;

- [b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;
- [c] the petitioner shall not abscond either during investigation or trial;
- [d] the petitioner shall not tamper with evidence or witness either during investigation or trial;
- [e] On breach of any of the aforesaid conditions, the learned 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*** reported in [(2005)AIR SCW 5560];
- [f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S

05.02.2025



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Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No
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To

1. The Inspector of Police,
K.V.Kuppam Police Station,
Vellore District.

2.The Judicial Magistrate,
Katpadi.

2. The Public Prosecutor,
Madras High Court,
Chennai.

SUNDER MOHAN, J.

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