



CrI. O.P. No.4798 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No.4798 of 2025

Prakash S/o. Shanmugam
Petitioner/Accused(6)

...

Vs.

The State represented by-

The Inspector of Police,
Mangalam Police Station,
Tiruppur District.
(Cr. No.68 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Cr. No.68 of 2025, pending investigation on the file of the respondent police.

For Petitioner : Mr. P. Thinesh

For Respondent : Mr. Leonard Arul Joseph Selvam
Government Advocate (Criminal side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 24.01.2025, seeking bail in Cr. No.68 of 2025, pending investigation on the file of the respondent police.



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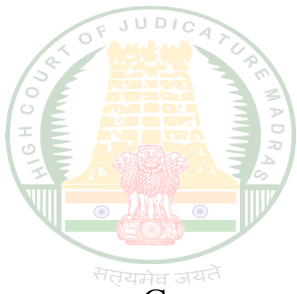
registered for the offences under Sections 8(c), 20(b)(ii)(A) and 29(1) of NDPS Act and Sections 61(2) and 131 of B.N.S. read with Section 77 of J.J. Act.

2. The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 60 grams of Ganja with an intention to sell the same to the school children.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent; that he has not at all involved in any offence as alleged by the prosecution; that he has been falsely implicated in this case; and that he is in judicial custody for a period of one month and hence prayed for grant of bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, on instructions, submitted that the accused were arrested for the illegal possession of 138 grams of Ganja for the purpose of selling them to school children and public. He would further submit that the petitioner has 4 other previous cases registered under the IPC and the contraband was seized.

5. Heard the learned counsel appearing for the petitioner and the learned



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Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering the nature of allegations, the fact that the contraband was seized, the petitioner is on bail, in all other previous cases registered under the IPC, period of incarceration and since further custody of the petitioner is not required for the purpose of investigation, 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**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.IV, Tiruppur.**

[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 Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police, daily at 10.30 a.m., until further orders;



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[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 [(2005)AIR SCW 5560]***;

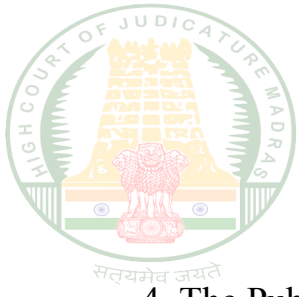
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

24.02.2025

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To

1. The Judicial Magistrate No.IV, Tiruppur.
2. The Inspector of Police, Mangalam Police Station, Tiruppur District.
3. The Superintendent, Central Prison, Tiruppur.



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4. The Public Prosecutor, High Court of Madras.

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SUNDER MOHAN., J.

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