



Crl.OP.No.6717 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 10.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.6717 of 2025

1.Maheshwaran

2.Subash

.. Petitioners

Vs.

The State rep by
The Inspector of Police,
Mangalam Police Station,
Tiruppur District.
(Crime No.69 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of their arrest in Crime No.69 of 2025 on the file of the respondent
Police.

For Petitioners : M/s.Thinesh P

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent



police for the offences punishable under Sections 8(c), 20(b) (ii) (A), 29(1) of NDPS Act r/w Section 132 of BNS in Crime No.69 of 2025, seek anticipatory bail.

2. The case of the prosecution is that, the petitioners along with other accused were found in possession of 175 grams of ganja.

3. The learned counsel for the petitioners submits that the allegations are false; that the petitioners are sought to be implicated based on the confession of the co-accused; that there is no previous case against the petitioners under NDPS Act and prayed for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and confirms the fact that based on confession of co-accused, the petitioners were arrayed as an accused and that there is one previous case against the petitioners which is not similar in



WEB COPY 5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6. Considering aforesaid facts, the contraband seized from the co-accused was small quantity and there is one previous case against the petitioners, which is not under the NDPS Act, this Court is of the view that the custodial interrogation of the petitioners is not required for the purpose of investigation. Therefore, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **Judicial Magistrate No.IV, Tiruppur**, 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



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the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond 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 Petitioners in accordance with law as if the conditions have been imposed and the Petitioners 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 BNS.

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Index : Yes / No



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Internet : Yes / No

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To

1.The Inspector of Police,
Mangalam Police Station,
Tiruppur District.

2.The Judicial Magistrate No.IV, Tiruppur

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



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SUNDER MOHAN, J.

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