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Crl.O.P.No.7872 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 18.03.2025**

CORAM

**THE HON'BLE MR. JUSTICE SUNDER MOHAN**

**Crl.O.P.No.7872 of 2025**

M. Kumarappam

... Petitioner/ Accused No.7

Vs.

The State Represented by,  
The Inspector of Police,  
Singanallur Police Station,  
Coimbatore District.  
(Crime No.609 of 2024).

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.609 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr. A. Saranraj

For Respondent : Mr. Leonard Arul Joseph Selvam  
Government Advocate (Crl.Side)

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## **ORDER**

Petition seeking bail in respect of Crime No.609 of 2024 registered for the alleged offences punishable under Section 8(c), 20(b)(ii)(C), 25 and 29(1) of NDPS Act, 1985, is on board for consideration.

2. The case of the prosecution is that, based on a secret information, the respondent police went to the spot and found that the accused/ A1 and A2 were involved in illegal possession of 22 kilograms of Ganja in their car; that the petitioner along with other accused persons were standing near the car. Hence, this case.

3. The learned counsel appearing for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case, based on the confession of the co-accused and has not committed any offence as alleged by the prosecution; that the petitioner has been arrested and remanded to judicial custody on 24.12.2024; the similarly placed accused/ A4 was granted bail by this Court vide order dated 27.02.2025 in CrI.O.P.No.3433 of 2025; and that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and to appear and co-operate for the investigation, and



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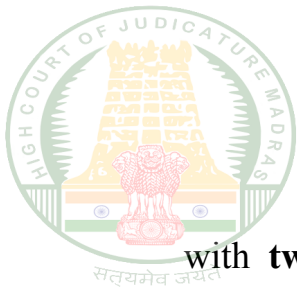
prayed for grant of bail to the petitioner.

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4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and on instruction submitted that the petitioner is arrayed as A7 in this case; that the petitioner has no bad antecedents; and that the investigation is pending.

5. Though the contraband seized from A1 and A2 is commercial quantity, the petitioner was not found travelling in the car and is sought to be implicated on the confession of the co-accused. Hence, this Court is of the view that the petitioner has satisfied the twin conditions under Section 37 of the NDPS Act. Considering the fact that the petitioner has no bad antecedents, the co-accused was granted bail, the period of incarceration undergone by the petitioner 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.

6. 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**

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**Judicial Magistrate No.III, Coimbatore** and on further conditions 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 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 [(2005)AIR SCW 5560]***;



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

18.03.2025

stn

To

1. The Judicial Magistrate No.III,  
Coimbatore.
2. The Inspector of Police,  
Singanallur Police Station,  
Coimbatore District.  
(Crime No.609 of 2024).
3. The Superintendent,  
Central Prison, Coimbatore.
4. The Public Prosecutor,  
High Court of Madras.



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**SUNDER MOHAN, J.**

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