



Crl.OP.No.8665 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 24.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.8665 of 2025

1.Parthiban

2.Selvaganpathy

.. Petitioners

Vs.

The State rep by
The Inspector of Police,
Alangayam Police Station,
Thirupathur District.
(Crime No.03 of 2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.03 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : M/s.R.Parthiban

For Respondent : Ms.J.R.Archana
Government Advocate(Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioners, who



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were arrested and remanded to judicial custody on 13.01.2025, seeking bail in Crime No.03 of 2025 registered for the offence under Sections 8(c) r/w 20(b)(ii)(B), 25 and 29(1) of NDPS Act.

2. The case of the prosecution is that the petitioners were found in illegal possession of 10 kilograms of Ganja.

3. Learned counsel appearing for the petitioners submitted that the allegations are false; that the contraband was seized; and that in any case, further custody of the petitioners is not required.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioners, reiterated the prosecution case and submitted that the contraband was seized; that there are two previous cases against the 1st petitioner and he is on bail in those cases and the 2nd petitioner has no bad antecedents.

5. Considering the nature of allegations, period of incarceration,



the contraband was seized, the 1st petitioner is on bail in all the other cases, the 2nd petitioner has no bad antecedents and since further custody of the petitioners is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are 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 Metropolitan Magistrate No.III, Thirupathur**, 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



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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.

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Index : Yes / No
Internet : Yes / No
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To

1.The Inspector of Police,
Alangayam Police Station,
Thirupathur District.

2.The learned Metropolitan Magistrate No.III,
Thirupathur.

3.The Superintendent of Prison,
Central Prison, Salem.

4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN , J.

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