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Crl.O.P.No.9975 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 9975 of 2025

Prakashraj

Petitioner(s)

Vs

The State Represented by,
The Inspector Of Police,
P.E,Wing Kallakurichi Police Station,
Kallakurichi District.
(Crime No.278 of 2024)

Respondent(s)

For Petitioner(s): Mr.A.Pooraniputhiran

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

PRAYER To enlarge the petitioner on anticipatory bail in the event of his arrest by the Respondent in Crime No.278 of 2024 on the file of the Respondent.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 8(c), 20(b)(ii)(A) of Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.278 of 2024 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that based on secret information, the respondent police intercepted the Petitioner (A1) and the second accused and seized 100 grams of Ganja from them.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that contraband has been seized; that at the time of alleged seizure in June 2024, the respondent chose not to arrest the petitioner; and that in any case, custodial interrogation is not required and sought for anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and on instructions, submitted that contraband has been seized; and that the petitioner has no bad antecedents.

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

6. Considering the nature of allegations, the fact that the petitioner has no bad antecedents, contraband involved in this case is small quantity and



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the same has been seized, and since, 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 days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.I, Kallakurichi** on condition that the petitioner shall execute a separate 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner 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 petitioner shall report before the respondent everyday at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[d] the petitioner 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 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 of B.N.S.

drl

03-04-2025

To

1. The Inspector Of Police,
P.E,Wing Kallakurichi Police Station,
Kallakurichi District.
2. The Judicial Magistrate No.I,
Kallakurichi.



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SUNDER MOHAN J.

drl

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