



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.05.2025

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CORAM

THE HON'BLE MRS JUSTICE K. GOVINDARAJAN THILAKAVADI

Crl.O.P.No.16218 of 2025

Prithiviraja @ Raja

... Petitioner/A3

Vs.

State rep by
The Inspector of Police,
Kitchilipalayam Police Station,
Salem District.

(Crime No.575 of 2020)

... Respondent

PRAYER: This criminal original petition has been filed under Section 482 of BNSS to enlarge the petitioner on anticipatory bail in Crime No.575 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who apprehends arrest at the hands of the respondent, seeking anticipatory bail in Crime No.575 of 2020 registered for the offence under Section 8(C) r/w 20(b)(II)(B) of NDPS Act, 1985.



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2.It is the case of the prosecution that the petitioner along with other accused was found in illegal possession of 2.250 kgs of ganja. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that no recovery was made from the petitioner and the petitioner is sought to be implicated based on the confession of co-accused. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and sought for anticipatory bail.

4.Per contra, the learned Government Advocate reiterated the prosecution case and submitted that the contraband was seized and that the petitioner is sought to be implicated on the confession of co-accused. However, he opposed for the grant of anticipatory bail.

5.Heard the learned counsel on either side and perused the materials available on record.



6.Considering the nature of allegations, the fact that the contraband was seized and the petitioner is sought to be implicated on the confession of co-accused and since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of copy of this order, before the **Special Judge for EC/NDPS Act, Cases, Salem**, on condition that the petitioner shall execute a bond for 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 said Magistrate, 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 daily at 10.30 a.m. for a period of two months and thereafter, as and when required for interrogation;



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

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

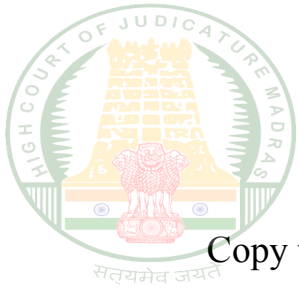
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ata/rkp

Note :

1.Registry is directed to forthwith upload this order in the official website of this Court.

2.All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.



Copy to:

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1.The Special Judge for EC/NDPS Act Cases, Salem.

2.The Inspector of Police,
Kitchilipalayam Police Station,
Salem District.

3.The Public Prosecutor,
High Court of Madras.



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K. GOVINDARAJAN THILAKAVADI, J.

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