



Crl.O.P.No.16485 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.16485 of 2025

Maruthamalai

... Petitioner

Vs.

The State Rep. by its
The Sub-Inspector of Police,
Chengam Police Station,
Tiruvannamalai District.

Crime No.191 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.191 of 2025 on the file of the respondent.

For Petitioner : Mr.Sathiyaraj E
For Respondent : Mr.A.Gokulakrishnan
Government Advocate
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
20.05.2025, for the offence punishable under Section 123 of BNS Act and
Section 8 (c), 20 (b) (ii) (A) of NDPS Act, in Crime No.191 of 2025,



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registered on the file of the respondent, seeks bail.
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2.The case of the prosecution is that the petitioner was found in illegal possession of 105 grams of Ganja. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. The petitioner is in judicial custody from 20.05.2025 and hence, further custody of the petitioner is not required. He further submitted that the petitioner, without prejudice to his rights, is ready to deposit a sum of Rs.25,000/- to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioner.

5. Considering the above facts and circumstances of the case, and also the period of incarceration of the petitioner from the date of his arrest i.e. 20.05.2025 and also taking note of the fact that the petitioner had come



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forward to deposit an amount of Rs.25,000/-(Rupees Twenty Five Thousand only), by way of Demand Draft to the **Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram**, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) by way of Demand Draft to the **Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram** and on such deposit the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with **two blood related sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Chengam, Tiruvannamalai**, on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b][b] the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) by way



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of Demand Draft to the **Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram** and that the receipt of such payment shall be produced before the concerned Magistrate at the time of executing the bond;

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of two weeks; thereafter as and when required for interrogation;

[d] the petitioner shall not abscond either during investigation or trial.

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

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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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 the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Judicial Magistrate,
Chengam,
Tiruvannamalai.
- 2.The Sub-Inspector of Police,
Chengam Police Station,
Tiruvannamalai District.
- 3.The Central Prison,
Vellore.
- 4.The Public Prosecutor,
High Court of Madras.

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G.K.ILANTHIRAIYAN, J.

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