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CrI.O.P.No.17730 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2025

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.17730 of 2025

Ethiraj

... Petitioner

Vs

STATE BY:

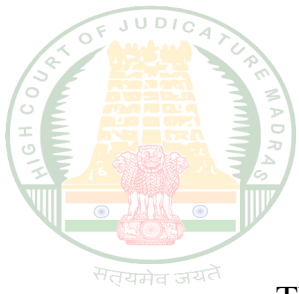
The Inspector of Police,
Valavanur Police Station,
Villupuram Dist.
[Crime No.274 of 2025].

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on
anticipatory bail in Crime No.274 of 2025 in the event of his arrest, pending
investigation on the file of the respondent Police.

For Petitioner : Mr.P.S.Mercy Gnanammal

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal Side)



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ORDER

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The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 8(c) & 20(b)(ii)(A) of Narcotic Drugs & Psychotropic Substances Act, 1985 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that on secret information, the Sub Inspector, Grade-I Constable and Head Constable attached to the respondent Police were conducting road check on 01.06.2025 at about 06.15 p.m., at that time, A1 to A3 were standing there with two wheeler bearing Reg.No.TN-32-AB-2203. When the Police had enquired and searched, the accused were in possession of 400 grams of ganja. Hence, the case.

3.The learned counsel for petitioner submits that the petitioner is an innocent person and he has nothing to do with the alleged offence. He further submits that based on the confession of A1, the petitioner is arrayed as A4. Except the confession statement of co-accused, there is no incriminating materials against the petitioner. Hence, he prays for anticipatory bail.

4.Learned Government Advocate (Criminal Side) appearing for the



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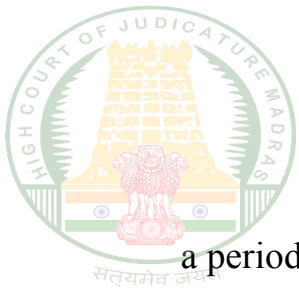
respondent Police while opposing for grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that as against the petitioner, no previous case is pending and there is no bad antecedents.

5.Heard both sides and perused the materials available on record.

6.Considering the facts and circumstances of the case and the petitioner has no previous case, 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 their appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Villupuram on condition that the petitioner shall execute a 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within



a period of fifteen days, this Order shall stand automatically cancelled;

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[b]The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identify proofs to ensure their identity;

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

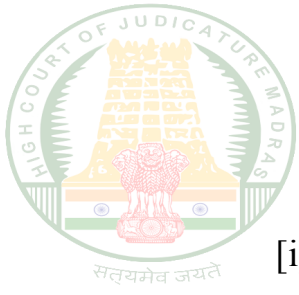
[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make themselves available for interrogation by a Police officer as and when required;

[f] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for Police custody beyond the first fifteen days, they shall comply to the directions as may be given by the Court in this regard;

[g] the petitioner shall not abscond either during investigation or trial;

[h] 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 petitioners 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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[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

27.06.2025

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To

- 1.The Judicial Magistrate No.II,
Villupuram.
- 2.The Inspector of Police,
Valavanur Police Station,
Villupuram Dist.
- 3.The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

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