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CrI.O.P.No.19411 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.19411 of 2025

Sekar

... Petitioner/A2

Vs.

State Rep. By its
The Inspector of Police,
Bommidi Police Station,
Dharmapuri District.
(Crime No.95 of 2025)

... Respondent

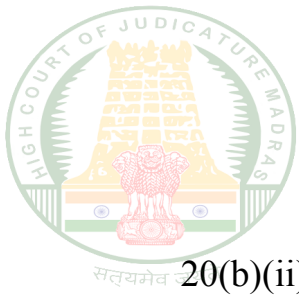
PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of his arrest in Crime No.95 of 2025 on the file of the respondent police.

For Petitioner : Mr.C.Deepak Kumar

For Respondent : Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 8(c) r/w



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20(b)(ii)(B) of Narcotic Drugs & Psychotropic Substances Act, 1985 in connection with Crime No.95 of 2025, registered on the file of the respondent, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with another accused was found in illegal possession of 1.100 kgs of Ganja leaves, seeds and flowers. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person, based on the confession of co-accused/A1 the petitioner has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police while opposing for grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that from A1 the contraband of ganja seized and from the petitioner/A2 no seizure made and the petitioner has got no previous cases.



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5.Heard the learned counsel appearing on both sides.

6.Considering the submissions made on either side, it is seen that the petitioner's name has been disclosed by A1, who was found in possession of 1.100 kgs. of Ganja in his two wheeler. From the petitioner no seizure has been made and the petitioner has got no bad antecedents. In view of the same, 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, Pappireddipatti** 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[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 identify proofs to ensure their identity;

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

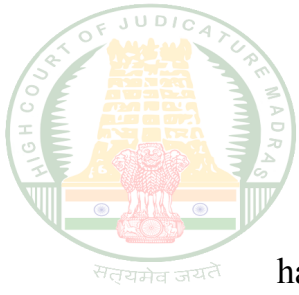
[d] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall make himself available for interrogation by the respondent 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, he 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



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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];

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

05.08.2025

rsi

To

1.The Judicial Magistrate,
Pappireddipatti.

2.The Inspector of Police,
Bommidi Police Station,
Dharmapuri District.

3.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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