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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09-09-2025**

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No.20635 of 2025

A.Hirsarth Ahamed @ Harsha Ichu

...Petitioner(s)

Vs

State, Rep by
The Inspector of Police,
Selvapuram Police Station,
Coimbatore District.
Crime No.172/2025.

...Respondent(s)

Prayer: Criminal Original Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail in the event of his arrest by the respondent police in Crime No. 172 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr.R.Siranjeevi

For Respondent(s): Mr.S.Udayakumar,
Government Advocate (Crl.Side)



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ORDER

The petitioner who apprehends arrest for the alleged offences under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act and Section 123 of BNS Act, 2023, in Crime No.172 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in possession of 1.100 kgs of ganja. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is no way connected with the alleged offence. 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 bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner was found in possession of 1.100 kgs of ganja and the petitioner was arrayed as A2 and



has no previous case.

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

6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner shall deposit a sum of Rs.10,000/- to the credit of Coimbatore District Advocate Clerks Association, 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 sureties**, each for a like sum to the satisfaction of the learned Judicial Magistrate-V, Coimbatore, and 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] the petitioner shall report before the respondent Police at 10.30 am on every Saturday for a period of three months and thereafter as and when required for



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interrogation;

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] 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;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[g] If the accused thereafter absconds, a fresh FIR



can be registered under Section 269 of B.N.S.

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1.The

2.The Inspector of Police,
Selvapuram Police Station,
Coimbatore District.
Crime No.172/2025.

3.The Public Prosecutor,
Madras High Court,
Chennai.

Note:

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.



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T.V.THAMILSELVI, J.

mps

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