



WEB COPY



Crl.O.P.Nos.20199 and 20204 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.20199 and 20204 of 2025

Harish

... Petitioner/A4 in
Crl.O.P.No.20199 of 2025

1.Arunkumar
2.Gokulraj
3.Nandhakumar

... Petitioners/A1 to A3 in
Crl.O.P.No.20204 of 2025

Vs.

State Rep. By
The Inspector of Police,
Nallipalayam Police Station,
Namakkal District.

... Respondent in both Crl.O.Ps.

COMMON PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail pending investigation in Crime No.122 of 2025 on the file of the respondent police.

In both Crl.O.Ps.

For Petitioners : Mr.S.Kasirajan
For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

COMMON ORDER



Crl.O.P.Nos.20199 and 20204 of 2025

WEB COPY

The petitioners, who were arrested and remanded to judicial custody on 19.06.2025, for the offence punishable under Sections 8(c) r/w 20(b)(ii)(A) and 29(1) of Narcotic Drugs & Psychotropic Substances Act, 1985 and Section 123 of BNS, 2023 in connection with Crime No.122 of 2025, registered on the file of the respondent, seeks bail.

2.The case of the prosecution is that A5 in this case was arrested in Crime No.19 of 2025. He was brought to Judicial Magistrate Court, Sendamangalam for the purpose of remand. At that time, the petitioners handed over 10 grams of Ganja to A5. Hence, the case.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for



Crl.O.P.Nos.20199 and 20204 of 2025

WEB COPY

the respondent police while opposing for grant of bail to the petitioners reiterated the prosecution case and submitted that A1 has got one previous case and A2 to A4 have got no previous case.

5.Heard the learned counsel appearing on both sides.

6.Considering the submissions made on either side, it is seen that the petitioners had attempted to hand over 10 grams of Ganja to A5, who was brought to the Court for remand in connection with Crime No.19 of 2025 for committing theft. In view of the same, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each**, with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Namakkal** 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



WEB COPY



Crl.O.P.Nos.20199 and 20204 of 2025

Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioners shall report before the respondent police everyday at 10.30 a.m. until further orders;

[c] the petitioners shall not directly or indirectly cause any threat to the de-facto complainant and witnesses;

[d] the petitioners 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;

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

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

17.07.2025

rsi

Note :

1. Registry is directed to forthwith upload

4/6



Crl.O.P.Nos.20199 and 20204 of 2025

this order in the Official Website of this Court.

WEB COPY

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 No.I,
Namakkal.

2.The Inspector of Police,
Nallipalayam Police Station,
Namakkal District.

3.The Superintendent,
Sub Jail, Namakkal.

4.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.Nos.20199 and 20204 of 2025

M.NIRMAL KUMAR, J.

rsi

Crl.O.P.Nos.20199 and 20204 of 2025

17.07.2025