



Crl.O.P.No.20457 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20457 of 2025

1. Karthi
2. Prabakaran
3. Mageswaran

.. Petitioners

Vs.

The State rep by
The Inspector of Police
Erode Taluk Police Station
Erode
Crime No. 158 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioners on bail pending investigation in Crime No. 158 of 2025 on the file of the respondent police.

For Petitioners : Mr.R.Radha Pandian

For Respondent : Mr.R.Vinoth Raja
Government Advocate (Crl.side)



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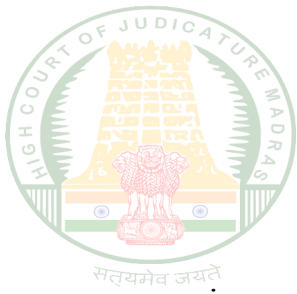
ORDER

The petitioners, who were arrested and remanded to judicial custody on 28.05.2025, for the offence punishable under Sections 8(c), 20(b)(ii)(B) and 25 of NDPS Act, 1985 in Crime No. 158 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioners were in illegal possession of 3.200 Kgs of Ganja. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He also submitted that the petitioners are in no way connected with the alleged offence, however, they are suffering incarceration from 28.05.2025. 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 petitioners.

4. Learned Government Advocate (Crl.side) appearing for the respondent police, submitted that totally there are four accused in which petitioners/A2 to A4 were arrested on 28.05.2025 and A1 was detained under goondas Act. He submits that one previous case is pending against A2, six



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previous cases were pending against A3 and one previous cases is pending against A4. Hence, he strongly opposed to grant bail to the petitioner

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and considering the period of incarceration undergone by the petitioner, 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 separate 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 No-I, Erode** 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

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



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

[e] 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, 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 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]**;

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

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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 No-I, Erode

The Inspector of Police
Erode Taluk Police Station
Erode

3. The Superintendent,
District Prison, Tiruppur.

4. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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