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Crl.O.P.No.20411 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2025

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.20411 of 2025

Rajivgandhi

... Petitioner/Accused

Vs

The State rep by
the Inspector of Police,
M-5 Ennore Police Station.
(Crime No.74 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 the event of his arrest in Crime No.74 of 2025 on the file
of the respondent police.

For petitioner : Mr.Mukesh Kannah

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B), 29(1)
and 25 of Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime
No.74 of 2025 on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that the petitioner along with other accused was illegally transporting 5 kgs of Ganja. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that based on the confession of co-accused, the petitioner has been arrayed in this case. He further submitted that the co-accused/A1 and A2 were arrested and released on bail. Hence, prayed for anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner is having 12 previous cases, of which, two cases registered under NDPS Act. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. The learned counsel for the petitioner submitted that those two cases lodged after this F.I.R. However, there is no recovery from the petitioner.

6.Heard the learned counsel for the petitioner and the learned



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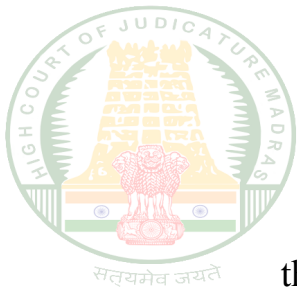
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Government Advocate for the respondent Police and perused the materials available on record.

7. Considering the fact that co-accused has been arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** as **non-refundable deposit to the credit of registered Advocate Clerk's Association, Villupuram**, on such deposit and production of proof, the petitioner is ordered to be released on anticipatory 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, Thiruvottiur**, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and



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the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police every day at 10.30 a.m., until further orders;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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 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]**;

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

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- To
- 1.The Judicial Magistrate,
Thiruvottiyur.
 - 2.The Inspector of Police,
M-5 Ennore Police Station.
 - 3.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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