



Crl.O.P.No.20958 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2025

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THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20958 of 2025

P.Mugilan @ Vandalur Mugilan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Otteri Police Station,
Tambaram. (Crime No.454 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in connection with Crime No. 454 of 2025 on the file of respondent Police.

For Petitioner : Mr.Krishnasamy Chinnsamy

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal Side)

ORDER

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(B) and 29(1) of Narcotic Drugs and Psychotropic Substances Act 1985, in Crime No.454 of 2025, on the file of the respondent, seeks anticipatory bail.



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2. The case of the prosecution is that the accused were found to be in illegal possession of 1.200 kilograms of ganja. Hence, the case.

3. The contention of the learned counsel appearing for the petitioner is that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the co-accused in this case has been arrested and enlarged on bail by this Court. Hence, he prayed for the grant of anticipatory bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting anticipatory bail to the petitioner stating that this is the petitioner's second anticipatory bail application before this Court and against whom, 4 previous cases are pending. He further submitted that the petitioner is also arrayed as A13 in Crime No.40 of 2024 which is pending committal in PRC No.47 of 2024 before the learned Judicial Magistrate No.II, Chengalpattu, in which, the petitioner along with other accused intentionally absented themselves in turn and delaying the committal of the case.

5. The learned counsel for the petitioner submitted that the petitioner undertakes to appear before the committal court and co-operate for speedy disposal of the trial.

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



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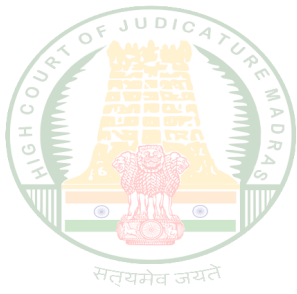
7. Considering the above facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and taking note of the undertaking given by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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 No.II, Chengalpattu**, 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:

[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 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;

[c] **the petitioner shall report before the respondent**



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Police everyday at 10.30 a.m., and 5.30 p.m., until the case in PRC No.47 of 2024 is committed to the Court of Sessions and thereafter, he shall appear before the trial Court on all hearing dates, without fail;

[d] the petitioner shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

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

[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] 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]**;

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

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1. The Judicial Magistrate No.II,
Chengalpattu.
2. The Inspector of Police,
Otteri Police Station,
Tambaram.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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