



Crl.O.P.No.21739 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21739 of 2025

Mohamed Mujahith

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Omalur Police Station,
Salem District.
(Crime No.354 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.354 of 2025 on the file of the respondent Police.

For Petitioner : M/s.G.Ambika

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

ORDER

The petitioner/A2, who was arrested and remanded to judicial custody
on 29.06.2025 for the offences under Sections 8(c) r/w 20(b)(ii)(B) of Narcotic
Drugs and Psychotropic Substances Act 1985, in Crime No.354 of 2025, on the
file of the respondent, seeks bail.



Crl.O.P.No.21739 of 2025

WEB COPY

2. The case of the prosecution is that the accused were found to be in illegal possession of 1.150 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 petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence he prayed for the grant of bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting bail to the petitioner. He further submitted that there are two accused in this case and the petitioner is arrayed as A2.

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

6. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side and taking note of the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, 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, Omalur, Salem**, and on further conditions that:



CrI.O.P.No.21739 of 2025

WEB COPY

[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 everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for 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]**;



WEB COPY



Crl.O.P.No.21739 of 2025

M.NIRMAL KUMAR, J.

ham

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

05.08.2025

ham

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,
Omalur, Salem.
2. The Inspector of Police,
Omalur Police Station,
Salem District.
3. The Superintendent,
Central Prison,
Salem.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.21739 of 2025