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Crl.O.P.No.23531 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.23531 of 2025

Mugunthan

... Petitioner

Vs.

State Rep. by:
The Sub Inspector of Police,
PEW, Polur Police Station,
Thiruvannamalai District.
(Crime No.463 of 2023)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in
connection with Crime No.463 of 2023 on the file of the respondent police.

For Petitioner : Mr.E.Parthiban

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 24.07.2025, for the offence punishable under Sections 8(c), 20(b)(ii)(A) of
Narcotic Drugs and Psychotropic Substances Act, 1985 and 328, 511 of IPC,
in Crime No.463 of 2023, registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that, the petitioner along with two other accused were found in possession of 1/2 Kg of Ganja. Hence, the present complaint.

3.The learned counsel appearing for the petitioner states that the petitioner has been falsely implicated and nothing to do with the offence. 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 petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police opposed the grant of bail to the petitioner and submitted that the investigation is yet to be completed in this case and that there are no bad antecedents reported against the petitioner.

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

6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side, this Court is inclined to grant bail to the petitioner with certain conditions.



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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, Polur, Thiruvannamalai District** 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 petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;**

[c] 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]**;

[d] 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.



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To

- 1.The Judicial Magistrate, Polur, Thiruvannamalai District.
- 2.The Sub Inspector of Police,
PEW, Polur Police Station,
Thiruvannamalai District.
- 3.Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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