



Crl.O.P.No.24640 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2025

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.24640 of 2025

1.Devi
2.Ajay

... Petitioners/A2 & A3

Vs.

The State Rep. By,
The Sub-Inspector of Police,
P-1 Pulianthope Police Station,
Pulianthope,
Chennai – 600 118.
Crime No.298 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail to the petitioners in the event of their arrest in Crime No.298 of 2025, on the file of the Inspector of Police, P-1 Pulianthope Police Station, Pulianthope, Chennai – 600 012.

For Petitioners : M/s.DA.Chandira Kumar

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



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ORDER

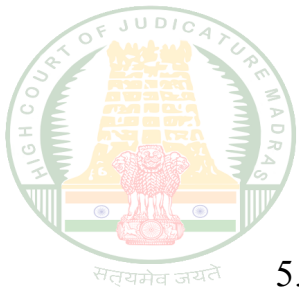
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The petitioners were apprehending arrest at the hands of the respondent police for the offences punishable under Section 8(c) read with Sections 20(b)(ii)(B), 25 and 29(1) of the Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.298 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 21.08.2025, the petitioners were found in illegal possession of 2 kg 350 grams of ganja. Hence, the present complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons. Based on the confession statement of the first accused, they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side), appearing for the respondent police, reiterated the prosecution case and opposed the grant of anticipatory bail to the petitioners, stating that A2 has three previous cases.



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5. Heard the learned counsels on either side and perused the materials available on record.

6. Considering the nature of the complaint and the cause of the dispute, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order before the learned **X Metropolitan Magistrate, Egmore, Chennai**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with two sureties, **in which one surety must be a blood surety** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioners fail to surrender before the concerned Magistrate, within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



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[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 petitioners shall report before the respondent police on every Tuesday and Saturday at 10.30 a.m., for a period of eight weeks.

[d] 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]**;

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

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To

- 1.The X Metropolitan Magistrate, Egmore, Chennai.
- 2.The Sub-Inspector of Police,
P-1 Pulianthope Police Station,
Pulianthope,
Chennai – 600 118.
- 3.The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI, J.

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