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Crl.OP.No.25035 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

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THE HONOURABLE MR.JUSTICE **K.RAJASEKAR**

Crl.O.P.No.25035 of 2025

Asfak Ahamed

... Petitioner

Vs.

State Rep by
The Inspector of Police,
Villupuram Taluk Police Station
Villupuram District
(Cr.No.567 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Cr.No.567 of 2025 on the file of the respondent police.

For Petitioners : Mr. S.Hansiya Begum

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 Section 8(c), 20(b)(ii)(A) of NDPS Act, 1985 in Crime No. 567 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that based on the secret information, the respondent police reached the spot and caught one Mahesh Boopathi and seized 30 grams of ganja from him. During enquiry, he confessed that he purchased the ganja from the petitioner herein. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he is a college student. He submits that he has been falsely implicated in this case based on the confession of co-accused. He also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that no previous case is pending against this petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, submissions made by learned counsels on either side, also considering the fact that the petitioner is a college student and the quantity involved in this case is 30 grams of ganja which is already recovered and since the custodial interrogation of the petitioner is not necessary in this case, this Court is



inclined to grant anticipatory bail to the petitioner with certain conditions.

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6. 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, Villupuram** 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 learned Magistrate concerned and on further condition that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Suretyship [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 Police daily at 10.30am for a period of two weeks and thereafter, as and when required for interrogation;



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[d] 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]**;

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

16.09.2025

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To

- 1.The Judicial Magistrate, Villupuram
2. The Inspector of Police,
Villupuram Taluk Police Station
Villupuram District
3. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.



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