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Crl.OP.No.26067 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.26067 of 2025

Mohammed Kasem

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Karumbukadai Police Station,
Coimbatore City, Coimbatore District.
(Crime No.121 of 2025)

... Respondent

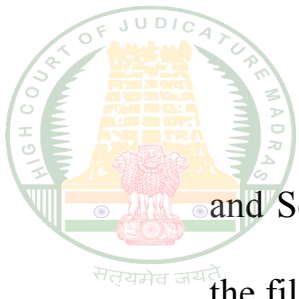
PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.121 of 2025 on the file of The Inspector of Police, Karumbukadai Police Station, Coimbatore City, Coimbatore District.

For Petitioner : Mr.C.D.Sugumar

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

ORDER

The petitioner who apprehends arrest for the alleged offence under Section 8(c) & 20(b)(ii)(A) of NDPS Act, 1985, Section 123 of BNS, 2023



and Section 7 and 25(1A) of Arms Act,1959 in Crime No.121 of 2025, on the file of the respondent police seeks anticipatory bail.

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2. The case of the prosecution is that A1 was found in possession of 450 grams of ganja and a sickle, and he was arrested at the scene of occurrence. Thereafter, A1 confessed that he had purchased the ganja from A2 to A4 for the purpose of selling it to the general public.

3. The learned counsel for the petitioner submitted that he is not in the alleged place of occurrence. Since the petitioner is one of the friends of A1, he has been implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner has been arrayed as A3. It was further submitted that A1 had purchased ganja from A2 to A4 for selling it to the general public for his personal gain. He also reported that there is no previous case registered against the petitioner and that the co-accused was enlarged on bail vide



order dated 22.08.2025 in Crl.O.P. No.23391 of 2025. However, he opposed the grant of anticipatory bail to the petitioner.

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

6. Considering the facts and circumstances of the case, the submissions made by both counsel, the quantity of contraband seized, the fact that no previous case has been reported against the petitioner, and that the co-accused has been enlarged on bail, having regard to the quantum of contraband seized, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the learned ***Judicial Magistrate-VII, Coimbatore*** on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:



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(a) If the petitioner failed to surrender before the concerned Magistrate within a period of fifteen (15) 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 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 identify proofs to ensure their identity;

(c) The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

23.09.2025

Vv

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To
1. The Judicial Magistrate-VII,
Coimbatore

2. The Inspector of Police,
Karumbukadai Police Station,
Coimbatore City, Coimbatore District.

3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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