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Crl.O.P.No.27923 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-10-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.27923 of 2025

1. Mohamed Anfas
2. Ahamad Baddrudin

... Petitioners/ A2 & A3

Vs

The State rep. by,
The Inspector of Police,
Kovilpalayam Police Station,
(Crime No.306 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners/accused in
Crime No.306 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. D. Padmanabhan

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



ORDER

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2. The case of the prosecution is that, based on a secret information the police party went to the spot and found that the petitioner along with other accused persons were in joint possession of 5 kilograms of Ganja. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners were falsely implicated in this case and the petitioners were in custody since 13.09.2025; that there is no seizure of contraband from these petitioners; and that the petitioners are ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for



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the respondent while opposing the bail to the petitioners reiterated the prosecution case and stated that totally there are nine accused involved in this case and the petitioners herein are arrayed as A2 and A3 respectively. He further submitted that the first petitioner/ Mohamed Anfas has previous case under TNCP Act and the second petitioner/ Ahamad Baddrudin has no previous antecedents; and that the investigation is pending.

5. Considering the facts and circumstances of the case, the petitioners have no previous antecedents under NDPS Act and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing 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 District Munsif Cum Judicial Magistrate at Annur, Coimbatore** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial



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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 petitioners shall report before the respondent police daily at 10:30 a.m. for a period of three weeks and thereafter, as and when required for interrogation;

[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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

13.10.2025

stn



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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.

To

1. The District Munsif Cum Judicial Magistrate,
Annur, Coimbatore.
2. The Inspector of Police,
Kovilpalayam Police Station,
(Crime No.306 of 2025)
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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