



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25.10.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.29020 of 2025

Marappasamy Poosari

... Petitioner

-Vs-

The State Rep by,
Inspector of Police,
Burgur Police Station,
Erode.
(Crime No.45 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023,
pleaded to enlarge the petitioner on bail in Crime No.45 of 2025 pending on the
file of the respondent police.

For Petitioner : Mr.S.Parthasarathi

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
02.09.2025, for the alleged offence punishable under Sections 8(c) read with
20(a)(i) of NDPS Act, 1985 in Crime No.45 of 2025 on the file of the respondent
police, seeks bail.



2. The case of the prosecution is that the petitioner cultivated 10 ganja plants with the intention of selling them to the public. Hence, the complaint.

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3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 02.09.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (CrI.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner has no previous case pending against him and the investigation is still pending. However, he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions made by the learned counsel on either side, the period of incarceration undergone by the petitioner, the fact that the has no previous case pending against him, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned Additional*



District Judge/Presiding Officer, Special Court for Essential Commodities Act cases, Coimbatore and on further conditions that:-

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[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner 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] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 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.

To

- 1.The Additional District Judge / Presiding Officer, Special Court for Essential Commodities Act cases, Coimbatore.
- 2.The Inspector of Police, Burgur Police Station, Erode.
- 3.The Superintendent, Central Prison, Coimbatore.
- 4.The Public Prosecutor, High Court, Madras.



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Crl.O.P.No.2902



K. RAJASEKAR, J.

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Crl.O.P.No.29020 of 2025

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