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Crl.O.P.No.2974



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **31.10.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.29745 of 2025

Balachandran @ Bala

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Valavanur Police Station,
Villupuram District.
(Crime No.731 of 2018)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in pending trial in Spl.C.C.No.34 of 2025 on the file of the learned Special District Court for the cases under NDPS Acts Villupuram.

For Petitioner : Mr.U.Yuvaraj

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



ORDER

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 4(1)(aaa), 4(1-A) of TNP Act and Sections 8(c), 20(b)(ii), (A) of NDPS Act, 1985 in Crime No.731 of 2018 on the file of the respondent police, seeks anticipatory bail.

2. The allegation against this petitioner is that he involved in possession of 120 litres of arrack and 2 kgs of Ganja. However, he was absconded and on 30.09.2025 NBW is issued. Hence, the case.

3. The learned counsel appearing for petitioner submitted that the present case was originally registered in the year 2018 itself and subsequently the petitioner herein was arrested in connection with other Prohibition cases and the respondent has not chosen to show arrest in this case. However, they filed final report showing the petitioner is the absconding accused in this case and accordingly NBW was issued on 30.09.2025. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner is arrayed as A2. In this case the next hearing date is 31.10.2025. NBW was issued on 30.09.2025 and 9 previous cases are pending against the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



5. Taking note of the fact that the criminal case was registered in the year 2018, NBW was issued on 30.09.2025, based on absconding charge sheet filed.

The petitioner was earlier arrested and the police have not taken any steps to arrest the petitioner though it is states that he is having nine previous cases, hence this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate-II, Villupuram*, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(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 trial Court daily at 10.30 a.m., for a period of two weeks and



thereafter all the hearing dates he must appear before the trial Court;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond 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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

31.10.2025

rna



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



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K. RAJASEKAR, J.

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