



CRL OP(MD). No.801 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

CRL OP(MD). No.801 of 2025

Muthuraja

...Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
(Crime No. 129 of 2023)

... Respondent/ Complainant

For Petitioner : Ms.P.Sepana @ Sree,
Advocate

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PRAYER :-

To enlarge the petitioner on bail in C.C.No.1019 of 2023, on the file of the I
Additional NDPS Court, Madurai in connection with Crime No. 129 of 2023 on the



CRL OP(MD). No.801 of 2025

file of the respondent-Police.

WEB COPY

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 09.01.2025 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner was arrested and remanded to judicial custody on 27.03.2023. The petitioner is facing trial in C.C.No.1019 of 2023 before the I Additional NDPS Court, Madurai, for the offences punishable under Sections 8(c), 20(b)(ii)(C), 29(1) of NDPS Act, 1985 in Crime No.129 of 2023 on the file of the respondent-Police.

3. The case of the prosecution is that on 27.03.2023, at about 06.30 hours, based on secret information, the Sub Inspector of Police conducted vehicle check up near garbage dump of Usilampatti Municipality and at that time, the Police party seized 12 kgs of ganja from the accused persons. Hence, the complaint.

4. Ms.P.Sepana @ Sree, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence. She further submits that a false case has been foisted against the petitioner. She further submits that the



CRL OP(MD). No.801 of 2025

petitioner is ready to abide by any conditions to be imposed by this Court. She further submits that the petitioner has been in judicial incarceration since 27.03.2025. Therefore, she prays for granting pre-arrest bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-Police, submits that P.W.1 to P.W.6 were examined in this case. He further submits that the petitioner and other witnesses filed a petition to recall P.W.1 to P.W.6. He further submits that if bail is granted to the petitioner, he may abscond and thereby cause delay in the trial proceedings. He further submits that the petitioner has not satisfied the twin conditions stated in Section 37 of the NDPS Act, 1985. Hence, he vehemently opposes the grant of pre-arrest bail to the petitioner.

6. Heard on both side and this Court perused the records.

7. Considering the above, and considering the facts and circumstances of the case, and considering the fact that the petitioner was arrested at the scene of occurrence, and also considering the fact that the petitioner has not satisfied the twin conditions stated in Section 37 of the NDPS Act, 1985, and taking note of the fact



CRL OP(MD). No.801 of 2025

that if bail is granted to the petitioner, he may abscond and thereby cause delay to
WEB COPY
the trial proceedings, this Court is not inclined to grant bail to the petitioner at this
stage.

8. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
15/04/2025

/ TRUE COPY /

/05/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1.THE INSPECTOR OF POLICE,
USILAMPATTI TOWN POLICE STATION,
MADURAI DISTRICT.

2 .THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.

3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



WEB COPY



CRL OP(MD). No.801 of 2025

ORDER

IN

CRL OP(MD) No.801 of 2025

Date :15/04/2025

VN/27.05.2025 /5P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023