



CRL OP(MD). No.1349 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.1349 of 2025

Marimuthu

... Petitioner / Accused No.5

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Tenkasi Police Station,
Tenkasi District.
(Crime No.534 of 2022)

... Respondent / Complainant

For Petitioner : Mr.D.Venkatesh,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS,2023.

PRAYER :- For Bail in Crime No.534 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.5, who was arrested and remanded to judicial



CRL OP(MD). No.1349 of 2025

custody on 04.01.2024 for the alleged offences under Sections 489C of IPC and Sections 8(c), 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act 1985, in Crime No.534 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons were found in possession of 2 kilograms of Ganja and they were also in possession of currency notes which were subsequently found to be counterfeit currency. There are totally 10 accused persons in this case and the petitioner has been arrayed as A5.

3. The petitioner was shown as absconding accused in the police report and hence, the trial Court had issued NBW and the petitioner was produced before the trial Court on 04.01.2025 based on the non-bailable warrant. In fact, the petitioner moved an anticipatory bail petition before this Court in CrI.O.P.(MD) No.22072 of 2024 and the petitioner was directed to surrender before the trial Court and the trial Court was directed to pass orders on merits and the trial Court though it fit to direct the petitioner to be taken on judicial custody considering the fact that the petitioner was an absconding accused.

4. The learned Additional Public Prosecutor (Criminal Side), on instructions, submitted that there are two previous cases against the petitioner.

5. Heard the learned counsel on either side and perused the material records of the case.



CRL OP(MD). No.1349 of 2025

WEB COPY

6. In the instant case, the investigation has been completed and the police report has been filed and the case is now pending before the Special Court in C.C.No.1095 of 2023. This Court also takes into consideration the fact that there are two previous cases against the petitioner and in one case, the petitioner is involved in a similar offence of possessing counterfeit currency, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Principal Special Court for EC & NDPS Act Cases, Madurai, and on further conditions 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 Principal Special Court for EC & NDPS Act Cases, Madurai daily at 10.30 a.m., apart from the hearing dates until further orders.

[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.



CRL OP(MD). No.1349 of 2025

[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 of BNS, 2023.

sd/-
24/01/2025

/ TRUE COPY /

24/01/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

PKN
TO

1 THE PRINCIPAL SPECIAL JUDGE FOR EC & NDPS ACT CASES,
MADURAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

3 THE INSPECTOR OF POLICE,
TENKASI POLICE STATION,
TENKASI DISTRICT.

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

+1 CC to M/s.D.VENKATESH, Advocate (SR-824[I] dated 24/01/2025)
<https://www.mhc.tn.gov.in/judis>



WEB COPY



CRL OP(MD). No.1349 of 2025

ORDER
IN
CRL OP(MD) No.1349 of 2025
Date :24/01/2025

SA/SAR. /24.01.2025/5P/6C

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