



CRL OP(MD). No.1268 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27.02.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.1268 of 2025

1.Saju

2.Sony

... Petitioners/ Accused Nos.1 & 2

Vs

The State of Tamilnadu,
Rep.By the Inspector of Police,
Devadanapatti Police Station,
Theni District.

Crime No.417 of 2024

... Respondent/ Complainant

For Petitioners : Mr.M.A.M.Raja

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

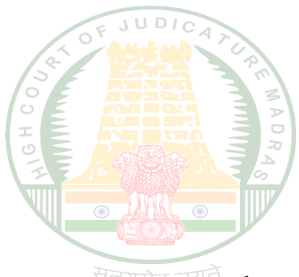
PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

C-24B. For bail in Crime No.417 of 2024 on the file of the respondent-police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 21.01.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.



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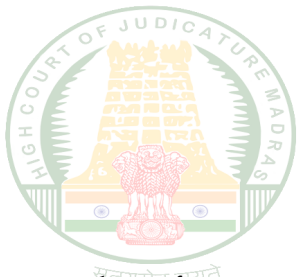
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2. The petitioners / accused Nos.1 & 2 were arrested and remanded to judicial custody on 02.12.2024 for the alleged offences punishable under Sections 8(c), 20(b)(ii)(C), 25 and 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.417 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that on 02.12.2024, at about 07.15 a.m., during vehicle check up, the respondent-Police stopped a Maruthi Suzuki Wagonr bearing Registration No.KL 02 AR 9831 on Batlagundu - Periyakulam Main Road. On search, the Police found that the accused persons were in illegal possession of 25 kgs 562 gms of Ganja in 5 packets and 2 plastic gunny bags. Hence the case.

4. Mr.M.A.M.Raja, the learned counsel appearing for the petitioners, submits that the petitioners did not commit any offence as alleged by the prosecution and that a false case has been foisted against them. He further submits that the petitioners have been in judicial custody since 02.12.2024. He however submits that the petitioners are ready to abide by any conditions to be imposed by this Court. He therefore prays to grant bail to the petitioners.

5. Per contra, Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-police, submits that investigation is yet to be completed and that the custodial interrogation of the petitioners is required in this case. He further submits that the petitioners are hailing from Kerala, and



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therefore, at this stage, if they are enlarged on bail, they will abscond and commit similar offence. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. It is stated that the investigation is yet to be completed. At this stage, if bail is granted to the petitioners, the petitioners may abscond, cause threat to the witnesses, tamper with the evidence and thereby, delay the trial proceedings. The petitioners have not also established prima facie case for grant of bail. The petitioners have also not satisfied the rigors stated in Section 37 of Narcotic Drugs and Psychotropic Substances Act, 1985. Hence, this Court is not inclined to grant bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

sd/-
27.02.2025

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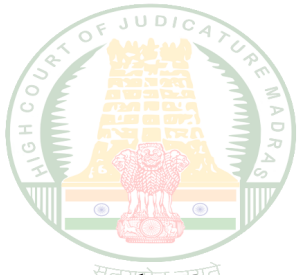
/03/2025
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mbi

TO

1.The Inspector of Police,
Devadanapatti Police Station,
Theni District.

<https://www.mhc.tn.gov.in/judis>



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2.The Superintendent,
Central Jail,
Theni.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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Date : 27.02.2025

SL(19.03.2025)/ 4P/ 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.