



CRL OP(MD). No.1311 of 2025

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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.1311 of 2025

Mottakundu @ Ganesamoorthy

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu
represented by The Inspector of Police,
Thanjavur West Police Station,
Thanjavur District.
(Crime No.821 of 2024)

... Respondent / Complainant

For Petitioner : Mr.M.Jayakumar
Advocate.

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

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

PRAYER :- For Bail in Crime No.821 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 01.01.2025 for the alleged offences under Sections 8(C) read with Section 20(b)(ii)(B)



of NDPS Act, in Crime No.821 of 2024, on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the accused persons were found in possession of 1.00 kgs of ganja. There are totally four accused persons in this case and the petitioner has been arrayed as A3.

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

4. Taking into consideration the facts and circumstances of the case and considering the quantity of contraband involved in this case and taking note of the fact that the petitioner has suffered incarceration from 31.12.2024 and considering the fact that there are 19 previous cases against the petitioner, out of which 2 cases are similar in nature, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5. 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 Additional District Judge, Special Court under Essential Commodities Act, Thanjavur 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.



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[b] the petitioner shall report before the respondent police every Monday at 10.30.a.m., 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.

[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.

SMA
TO
1 THE ADDITIONAL DISTRICT JUDGE,
SPECIAL COURT UNDER ESSENTIAL COMMODITIES ACT,
THANJAVUR.

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



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2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

3 THE INSPECTOR OF POLICE,
THANJAVUR WEST POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.1311 of 2025
Date :24/01/2025

SA/SAR. /24.01.2025/4P/5C

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