



CRL OP(MD). No.1482 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Manimaran

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu,
Rep.By the Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai District.
Crime No.259 of 2024

... Respondent/ Complainant

For Petitioner : Mr.K.Kumaran

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Crime No.259 of 2024 on the file of the respondent-police.



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ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 23.01.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner / A3 was arrested and remanded to judicial custody on 26.06.2024 for the alleged offences punishable under Sections 8(c), 20(b)(ii)(C), 29(1) and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.259 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that on 26.06.2024, at 11.30 hours, upon receiving secret information, the respondent-police went Thuvariman Kanmaikarai, where the accused persons in a car bearing Registration No.KL 37 A 1465 attempted to escape. However, they were apprehended by the Police and on search, the Police found that the accused persons were in illegal possession of 25 kgs of Ganja. Hence the case.

4. Mr.K.Kumaran, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and that he has been falsely implicated in this case. He further submits that the contraband has been recovered from the co-accused A1 and that seizure mahazar clearly shows that no contraband was recovered from A3. He further submits that the petitioner has



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been in judicial custody since 26.06.2024. He however submits that the petitioner is ready to abide by any condition to be imposed by this Court. He also submits that the petitioner met with an accident and operation was performed on his face and hence, further treatment is necessary to the petitioner. He therefore prays to grant bail to the petitioner.

5. Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-police, submits that the petitioner and two women were arrested with contraband weighing 25 kgs, which is commercial quantity. He further submits that investigation completed and charge sheet filed and the case is posted for trial on 23.04.2025. He further submits that investigation agency collected sufficient materials against the petitioner and other accused persons to establish its case. He further submits that the petitioner has three previous case, out of which, one is under Section 8(c), 20(b)(ii)(B) of NDPS Act. He therefore submits that the petitioner has not satisfied the conditions stated under Section 37 of NDPS Act. If bail is granted to the petitioner, he may commit similar type of offence and may abscond, thereby delay the further trial proceedings. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records including the First Information Report.



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7. The contraband (25 kgs of Ganja) was seized from the petitioner and two others. The petitioner and other accused persons were arrested on the same spot.

The contention of the learned counsel for the petitioner that A1 alone signed in the 'athatchi' is a question to be decided at the time of trial. The materials collected by the prosecution agency clearly shows the involvement of the petitioner in the crime. Hence, the petitioner is not entitled to bail in view of the rigors stated under Section 37 of NDPS Act. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
02/04/2025

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

MBI

TO

1.THE OFFICER IN CHARGE, DISTRICT PRISON, THENI.

2.THE INSPECTOR OF POLICE,
NAGAMALAI PUDUKOTTAI POLICE STATION,
MADURAI DISTRICT.



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

ORDER
IN
CRL OP(MD) No.1482 of 2025
Date :02/04/2025

PR/02.05 .2025 5P/4C

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