



CRL.OP(MD). No.1807 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.1807 of 2025

B.Nagaraj

... Petitioner/ A4

Vs.

The State of Tamil Nadu,
rep by the Inspector of Police,
PEW Alangudi Police Station,
Pudukkottai District.
Crime No.768 of 2024

... Respondent / Complainant

For Petitioner : Mr.D.Omsiva Saravanan
Advocate

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

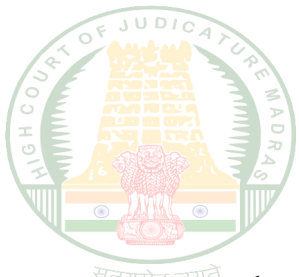
PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.768 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 petitioner on 28.01.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of bail.



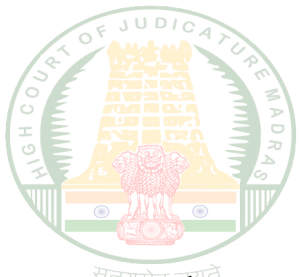
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2. The petitioner/ Accused No.4 was arrested and remanded to judicial custody on 01.11.2024 for the offences punishable under Sections 8(c) r/w 20(b)(ii) (c), 25 and 29(1) of NDPS Act, 1985, in Crime No.768 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that on 31.10.2024, at about 21.00 hours, based on the secret information, when the respondent-police were on patrol duty, they intercepted a two-wheeler. On seeing the police, the riders escaped from the place leaving the two-wheeler. On suspicious, they also intercepted another two-wheeler and a car, which were following the said two-wheeler. Then, the respondent-police checked the car and found that the accused persons were in possession of 150kg of kanja in that car. A1, A2 and the petitioner/A4 were arrested. They gave confession that they bought kanja from Andhra Pradesh for export of it to Srilanka. Hence, the case.

4. Mr.D.Omsiva Saravanan, the learned counsel for the petitioner, submits that the petitioner is an innocent person, and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been falsely implicated in this case. He further submits that the petitioner has been in judicial



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custody since 01.11.2024. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-police submits that in this case, investigation is yet to be completed. He further submits that the respondent-police intercepted the vehicle and seized 150kg of kanja from the petitioner and others, which is a commercial quantity. He further submits that if the petitioner is enlarged on bail, he will abscond and thereby, delay the investigation. He further submits that rigors stated in Section 37 of NDPS Act would be applicable to this case. Hence, he strongly opposes to grant bail to the petitioner.

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

7. In this case, investigation has not been completed. On perusal of the records, it reveals that the petitioner and the other accused persons were in possession of 150 kgs of ganja, which comes within the category of commercial quantity. Further, the accused persons confessed that they purchased the ganja



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from Andrapradesh for transporting it to Srilanga. Therefore, this Court is of the opinion that if the petitioner is enlarged on bail, he will abscond and commit similar offence. Therefore, this Court is not inclined to grant bail to the petitioner. Hence, this Criminal Original Petition is dismissed.

sd/-
11.03.2025

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

Rmk

To

1.The Inspector of Police,
PEW Alangudi Police Station,
Pudukkottai District.

2.The Superintendent,
Central Prison,
Madurai.

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

Order made in
CRL.OP(MD). No.1807 of 2025
11.03.2025

SL(25.03.2025)/ 4P/ 4C

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