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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2103 of 2025

Ajith

... Petitioner/ Accused Rank No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District.
Crime No. 65/2025.

... Respondent/ Complainant

For Petitioner : Mr.D.Rajaboopathy, Advocate
for Mr.G.Karuppasamy Pandian, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.65 of 2025 on the file of the respondent police.



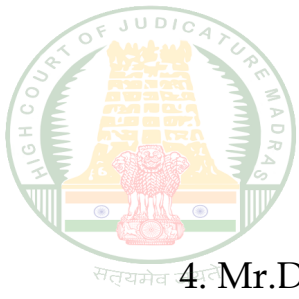
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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 30.01.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner/A1 was arrested and remanded to judicial custody on 23.01.2025 for the alleged offences punishable under Sections 8(c) & 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.65 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 23.01.2025, at 14:30 hours, upon receiving secret information, the respondent-police went to the location. While conducting the raid, they found that the petitioner and the other co-accused persons had jointly possessed 1.100 kg of ganja and contraband illegally, which was seized by the respondent-police. Hence, the case.



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4. Mr.D.Rajaboopathy, the learned counsel appearing for the petitioner, submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been in judicial custody since 23.01.2025, and he has no previous case. He therefore 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 the petitioner illegally possessed 1.100 kg ganja and contraband. He further submits that the investigation has not yet been completed. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner was arrested on 23.01.2025 and he has been in judicial custody. The respondent-police has already seized 1.100 kgs of ganja from the petitioner. The petitioner has no previous cases and the petitioner is a labour working in a spinning mill. He has permanent residence and deep roots in the society. Hence, there is less possibility of absconding. Considering the cumulative circumstances of the case, the



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period of incarceration and also the stage of investigation, and considering the fact that the substantial part of the investigation is complete, and with a view to give one more opportunity to the petitioner to reform himself, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Additional District and Sessions Judge/Presiding Officer, Special Court for EC and NDPS Act cases, Pudukottai. Among two sureties, one shall be a blood surety;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Additional District and Sessions Judge/Presiding Officer, Special Court for EC and NDPS Act cases, Pudukottai, shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall furnish his residential address and mobile number;

(iv) The petitioner shall appear and sign before the learned Additional District and Sessions Judge/Presiding Officer, Special Court for EC and NDPS Act cases, Pudukottai, on all working days at 10.00 a.m., until further orders;



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(v) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

(vi) On breach of any of the aforementioned conditions, the learned Additional District and Sessions Judge/Presiding Officer, Special Court for EC and NDPS Act cases, Pudukottai, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

Sd/-
10/02/2025

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10/02/2025
Sub-Assistant Registrar (PA)
Madurai Bench of Madras High Court,
Madurai - 625 023.

APD



TO
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- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE/
PRESIDING OFFICER,
SPECIAL COURT FOR EC AND NDPS ACT CASES,
PUDUKOTTAI.
- 2 THE OFFICER INCHARGE,
DISTRICT JAIL,
VIRUDHUNAGAR,
VIRUDHUNAGAR DISTRICT.
- 3 THE INSPECTOR OF POLICE,
RAJAPALAYAM NORTH POLICE STATION
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.2103 of 2025
Date :10/02/2025

ES/SAR /10.02.2025/ 6P/ 5C

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