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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 13/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

CRL OP(MD). No.2522 of 2025

M.Manoj Kumar,  
S/o M.Ayyar,  
No. 41 South Street, Azhagapuri Post,  
Sarkkaraipatti, Periyakulam, Vadaveeranaickenpatty Post,  
Lakshmipuram, Theni District.

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu,  
Rep by the Inspector of Police,  
NIB-CID police Station,  
Theni District.  
Crime No. 1/2025.

... Respondent/Complainant

For Petitioner : Mr.Dinesh.K, Advocate.

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

PRAYER :-

For Anticipatory Bail in Crime No.1 of 2025 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 06.02.2025 under

Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an

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



order of pre-arrest bail.

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2. The petitioner apprehends arrest at the hands of the respondent-Police for the offences punishable under Sections 8(c), 20(b)(ii)(B) and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.01 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 02.01.2025, the defacto complainant, who is the Inspector of Police, along with his police team, was conducting an inspection. During the inspection, the Police noticed that two other accused persons were in illegal possession of 1.250 kgs of ganja. The police arrested the accused persons. Based on the confession given by the co-accused persons, the petitioner has been arrayed as Accused No.3 in this crime. Hence, the complaint.

4. Mr.K.Dinesh, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence. He invites an attention of this Court to the order dated 02.01.2025 passed by the learned Judicial Magistrate, Theni in CrI.M.P.No.8247 of 2025 and states that based on the confession of the co-accused persons, the respondent-Police has falsely foisted a case against the petitioner. He however submits that he is ready to abide by any conditions to be imposed by this Court. Therefore, he prays for granting pre-arrest bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor



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appearing for the respondent-Police, submits the petitioner is a habitual offender. He further submits that there are two previous cases against the petitioner and all are similar in nature. He further submits that if pre-arrest bail is granted to the petitioner, the petitioner will commit similar offences once again. Hence, he vehemently opposes the grant of pre-arrest bail to the petitioner.

6. It is seen that bail was already granted to the petitioner in respect of Crime No.725 of 2024, by the learned Judicial Magistrate, Theni in CrI.M.P.No.8247 of 2024 by an order dated 02.01.2025. However, on the very same day, the petitioner committed the same offence. Therefore, the petitioner was arrested and remanded to judicial custody in this crime.

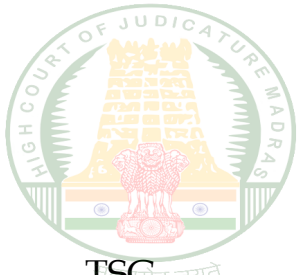
7. Considering the above and also considering the bad antecedents of the petitioner and taking note of the fact that the petitioner is a habitual offender, this Court is not inclined to grant pre-arrest bail to the petitioner.

8. Accordingly, the Criminal Original Petition stands dismissed.

sd/-  
13/02/2025

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/02/2025  
Sub-Assistant Registrar (CS-I/II/III/IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



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1 THE INSPECTOR OF POLICE,  
NIB CID POLICE STATION,  
THENI DISTRICT.

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

ORDER  
IN  
CRL OP(MD) No.2522 of 2025  
Date :13/02/2025

NBF / SKN /SAR- (21/02/2025) 4P/3C

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