



CRL OP(MD). No.2532 of 2025

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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

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Suryaprakash

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Mayiladuthurai Police Station,
Nagapattinam District.
Crime No. 679 of 2024.

... Respondent/Complainant

For Petitioner	:	Mr.M.Karunanithi
For Respondent	:	Mr.R.Meenakshi Sundaram Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 679 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 06.02.2025 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

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



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16.12.2024 for the offences punishable under Sections 8(c) and 20(b)(ii)(B) of Narcotic
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Drugs and Psychotropic Substances Act, 1985 in Crime No.679 of 2024 on the file of
the respondent-police.

3. The case of the prosecution is that on 16.12.2024, at 15:20 hours, upon receiving secret information, the respondent-police went to the location. While conducting the raid, they found that the petitioner and two others had illegally possessed 1.175 kgs of ganja, which was seized from them. Hence, the case.

4. Mr.M.Karunanithi, the learned counsel appearing 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 in judicial custody since 16.12.2024. 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 1.175 kgs of ganja. He further submits that the petitioner has two previous cases. 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 16.12.2024 and has been in judicial custody. Considering the facts and circumstances of the case, and considering the fact that the petitioner has been in judicial custody since 16.12.2024, and with a view to give one



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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 Judge, Special Court under Essential Commodities Act, Thanjavur;

(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 Judge, Special Court under Essential Commodities Act, Thanjavur, 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 Judge, Special Court under Essential Commodities Act, Thanjavur, on all working days at 10.00 a.m., until further orders;

(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



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District Judge, Special Court under Essential Commodities Act, Thanjavur, is entitled
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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
Madurai Bench of Madras High Court,
Madurai - 625 023.

APD
TO

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

2 THE INSPECTOR OF POLICE,
MAYILADUTHURAI POLICE STATION,
NAGAPATTINAM DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON,
TRICHY.

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



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ORDER

IN

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Date :10/02/2025

RS/IT/SAR-(10.02.2025) 5P 5C

Madurai Bench of Madras High Court is issuing
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