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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2632 of 2025

Subashchandraboss @ Subashsanthirabose,
S/o.Kaliyaperumal,
No.147, South Street,
Seduthankuppam,
Neyveli Block 19 Post,
Cuddalore District.

... Petitioner/ Accused No.4

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Neyveli Thermal Police Station,
Neyveli,
Cuddalore District.
Crime No.258/2024

... Respondent/Complainant

For Petitioner : Mr.Krishnasamy Chinnasamy,
Advocate.

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



PRAYER :-

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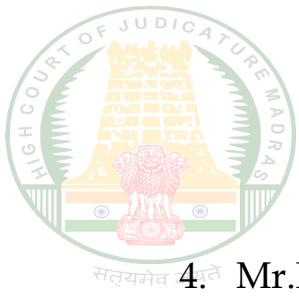
For Anticipatory Bail in Crime No.258/2024 on the file of the respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 07.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant pre-arrest bail.

2. The petitioner / accused no.4 apprehends arrest at the hands of the respondent-Police for the alleged offences punishable under Sections 8(c) read with Section 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.258 of 2024 on the file of the respondent-Police.

3. The case of the prosecution is that on 07.12.2024, at about 14:45 hours, based on secret information, when the respondent-police, reached Thailanthoppu near Veeran Kovil, they found the petitioner and four others. On seeing the police, two of them escaped. On investigation, the police found that the accused persons were in illegal possession of 21 kgs and 250 grams of Ganja. The police arrested A1 to A3 and seized the Ganja. Based on the confession of Accused No.1, the petitioner has been arrayed as Accused No.4. Hence the case.



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4. Mr.Krishnasamy Chinnasamy, the learned counsel appearing for the petitioner, submits that the petitioner has been falsely implicated in this case based on the alleged confession statement and he did not commit any offence as alleged. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. 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 and other accused persons jointly contributed Rs.70,000/- and purchased Ganja from Andhra Pradesh and attempted to sell the same in Tamil Nadu. He submits that based on the confession statement given by accused no.1, the petitioner has been arrayed as an accused in this case. Investigation revealed the involvement of the petitioner in the present Crime Number. Hence, he prays to dismiss this Criminal Original Petition.

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

7. Totally, 21 kgs and 250 grams of Ganja was recovered from A1 to A3. Based on the confession given by A1, the petitioner has been arrayed as an accused. The petitioner and A5 are still absconding. Investigation is yet to be completed.



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This Court is of the view that at this stage, if pre-arrest bail is granted to the petitioner, he will cause threat to the witnesses and tamper with evidence and thereby delay the investigation. Considering the above and considering the nature of offences alleged against the petitioner, this Court is not inclined to grant pre-arrest bail to the petitioner.

8. Accordingly, the Criminal Original Petition is dismissed.

Sd/-
12/02/2025

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

tsg
TO

1 THE INSPECTOR OF POLICE,
NEYVELI THERMAL POLICE STATION,
NEYVELI, CUDDALORE DISTRICT.

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

ORDER IN
CRL OP(MD) No.2632 of 2025
Date :12/02/2025

ES/SKN/SAR /05.03.2025/4P/3C

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