



CRL OP(MD). No.2623 of 2025

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.2623 of 2025

Nagaraj

... Petitioner/ A2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Chinnalapatti Police Station,
Dindigul District.
Crime No.20 of 2025

... Respondent/Complainant

For Petitioner : Mr.C.Ezhilarasu, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Crime No.20 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 07.02.2025



CRL OP(MD). No.2623 of 2025

under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

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2. The petitioner/A2 was arrested and remanded to judicial custody on 13.01.2025 for the alleged offences punishable under Sections 8(c), 20(b)(ii)(B) and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.20 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 13.01.2025, at 11:00 hours, based on secret information, the respondent-police were conducting a vehicle check near Nehruji Nagar when they found the accused persons riding a two-wheeler bearing Registration No.TN-57-CA-2765. On seeing the police, they attempted to escape, but the police apprehended them. On investigation, the police found that the accused persons were in possession of 4 kgs of Ganja. The police arrested them and seized the Ganja. Hence the case.

4. Mr.C.Ezhilarasu, the learned counsel appearing for the petitioner, submits that the petitioner is an innocent persons and he has not committed any offence as alleged by the prosecution. He further submitd that the petitioner has been in judicial

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



CRL OP(MD). No.2623 of 2025

custody since 13.01.2025. He therefore prays to grant bail to the petitioner.

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5. Per contra, Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-police, submits that the petitioner has no previous case. However, 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 13.01.2025 and has been in judicial custody. There are totally four accused persons in this case. The petitioner has been arrayed as A2. Based on the confession of A2 and A3, A4 has been arrayed as an accused in this case. A3 was arrested and released on bail by the learned Additional District Judge, Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai vide order dated 07.02.2025 in CrI.M.P.No.336 of 2025. The petitioner has no previous case. The petitioner has permanent residence and deep roots in the society and therefore, there is less possibility of absconding. Considering the cumulative circumstances and the period of incarceration and with a view to give an opportunity 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



CRL OP(MD). No.2623 of 2025

subject to the following conditions:

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(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, Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai;

(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, Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai 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 to the learned Additional District Judge, Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai;

(iv) The petitioner shall appear and sign before the learned Additional District Judge, Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai, on all working days at 10.00 a.m. until further orders;



CRL OP(MD). No.2623 of 2025

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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;

(vi) On breach of any of the aforementioned conditions, learned Additional District Judge, Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai 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/-
12/02/2025

/ TRUE COPY /

12/02/2025
Sub-Assistant Registrar (WRITS)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MBI

TO

1.The Additional District Judge,
Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Cases,
Madurai;



CRL OP(MD). No.2623 of 2025

2.The Officer-in-charge, Sub Jail, Dindigul.

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3.The Inspector of Police,
Chinnalapatti Police Station, Dindigul District.

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

+1 CC to M/s.C.EZHILARASU, Advocate (SR-1571[I] dated 12/02/2025)

ORDER
IN

CRL OP(MD) No.2623 of 2025

Date :12/02/2025

RK(12/02/2025) 6P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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