



CRL OP(MD). No.3038 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.3038 of 2025

N.Prakashraj

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Sellur Police Station,
Madurai City.
Crime No.72 of 2025.

... Respondent/Complainant

For Petitioner : Mr.B.Sudha Sathyananth

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory bail in Crime No.72 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



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14.02.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023

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praying to grant an order of pre-arrest bail.

2. The petitioner/Accused No.2 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 Narcotic Drugs and Psychotropic Substances Act, in Crime No.72 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that based on secret information, on 18.01.2025, at about 8:30 hours, the respondent-police was conducting raid at Madurai Sellur, 50 feet road, near Manivilas Bakery, they found that Accused No.1 was standing in a suspicious manner. On seeing the police, he tried to flee away from the place of occurrence. However, the respondent-police apprehended him. The police found that A1 was in possession of 1.350 kg of *ganja*. Based on the confession of A1, the petitioner has been arrayed as A2. The police seized the *ganja*. Hence, this case.

4. Mr.B.Sudha Sathyananth, 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 however submits that the petitioner is ready



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to abide by the conditions that may be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-Police, submits that the petitioner was in illegal possession of 1.350 kgs of ganja and the respondent-police seized the same. He further submits that the petitioner has two previous cases, which are not similar in nature. However, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner has two previous cases, which are not similar in nature. Considering the same and also considering the facts and circumstances of the case and taking note of the fact that the contraband seized from A1 in this case is a small quantity and with a view to give one more opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Principal Special Judge, Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai, within a



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period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of 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 Principal Special Judge, Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai;

(ii) Thereafter, the petitioner shall appear and sign before the respondent-Police daily at 10.00 a.m., until further orders;

(iii) 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 Principal Special Judge shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioner shall furnish his residential address and mobile number to the learned Principal Special Judge, Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai;

(v) The petitioner shall make himself available for interrogation by a police officer as and when required;

(vi) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;



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(vii) The petitioner shall not leave India without previous permission of the Court;

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

(ix) On breach of any of the aforementioned conditions, the learned Principal Special Judge, Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai, or Trial Court as the case may be, 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/-
19/02/2025

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

APD
TO

1 THE PRINCIPAL SPECIAL JUDGE
PRINCIPAL SPECIAL COURT FOR NARCOTIC DRUGS
AND PSYCHOTROPIC SUBSTANCES ACT CASES,
MADURAI.



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2 THE INSPECTOR OF POLICE,
SELLUR POLICE STATION,
MADURAI CITY.

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

+1 CC to M/s.B.SUDHA SATHIYANANTH, Advocate (SR-1962[I] dated 21/02/2025
)

ORDER

IN

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Date :19/02/2025

SS/SKN/SAR- /28/02/2025/ 6P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023