



CRL OP (MD) No.3552 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.3552 of 2025

xxxx (juvenile in conflict with law)
rep. by his mother

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
S.S.Colony Police Station,
Madurai District.
Crime No.766/2024

... Respondent/Complainant

For Petitioner : Mr.S.Sankar
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner (Juvenile) on bail pending investigation in Crime No.766 of 2024 on the file of the respondent-police.



CRL OP (MD) No.3552 of 2025

ORDER: The Court made the following order :-

WEB COPY

This Criminal Original Petition has been filed by the petitioner represented by his mother on 21.02.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.

2. The petitioner (Minor)/ A2 was confined in the Government Observation Home, Madurai, on 24.11.2024, and was subsequently transferred to the Government Special Home, Chengalpattu, on 16.12.2024 for the offences punishable under Sections 8(c) and 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No. 766 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that, based on secret information, on 24.11.2024, at about 05:15 a.m., when the respondent-police reached a banana field near Ponmeni Kalimuthu Nagar, they found that the petitioner and other accused persons were in possession of 1.500 kgs of ganja. The police arrested them and seized the contraband. Hence, the complaint.

4. Mr.S.Sankar, learned counsel appearing for the petitioner, submits that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He further submits that the petitioner is a juvenile and has been in the Government Special Home, Chengalpattu since 16.12.2024 i.e., for more than three months and is ready to abide



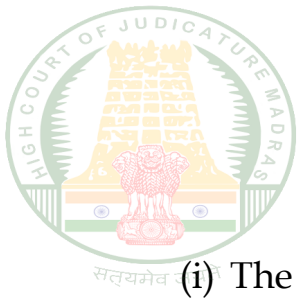
CRL OP (MD) No.3552 of 2025

by any conditions that may be imposed by this Court. He therefore prays to grant
WEB COPY
bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-police, submits that the investigation of the case is still pending, and therefore, at this stage, if the petitioner is enlarged on bail, he may abscond and tamper the witness and thereby, delay the investigation. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner is a 'child in conflict with law' and has been in the Government Special Home, Chengalpattu since 16.12.2024 i.e., for more than three months. The petitioner's mother appeared before this Court on 05.03.2025 and filed an undertaking affidavit that she will take care of her son ('child in conflict with law'). The same was recorded. This Court has also called for report from the Government Special Home, Chengalpattu and perused the same. Considering the affidavit filed by the mother of the petitioner as well as the report received from Government Special Home, Chengalpattu, 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:



CRL OP (MD) No.3552 of 2025

(i) The petitioner's mother shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the Juvenile Justice Board, Madurai.

(ii) The petitioner's mother shall furnish the petitioner's residential address and mobile number, if any, to the Juvenile Justice Board, Madurai.

(iii) The petitioner along with his mother shall stay at Thiruchirappalli and the petitioner shall not leave Thiruchirappalli without prior permission from the Juvenile Justice Board, Madurai.

(iv) The petitioner's mother shall furnish an undertaking that, upon release on bail, the juvenile will not be permitted to come into contact or association with any known criminal or be exposed to any moral, physical, or psychological danger. Further, the petitioner's mother shall ensure that the juvenile does not repeat the offence.

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
25/03/2025

/ TRUE COPY /

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

TRP

To

1. The officer incharge, Juvenile Justice Board,
Madurai.

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



CRL OP (MD) No.3552 of 2025

2.The Officer-in-charge,
Government Special Home,
Chengalpattu.

3.The Inspector of Police,
S.S.Colony Police Station,
Madurai District.

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

ORDER
IN

CRL OP(MD) No.3552 of 2025
Date :25/03/2025

MK/SAR /25.03.2025 5P/5C

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