



CRL OP(MD). No.3880 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.3880 of 2025

Ayman,
S/o. Jainullaputhin, Old Mosque Street,
Thiruvithancode Post,
Kanyakumari District..

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
Crime No. 593/2024

... Respondent/ Complainant

For Petitioner : Mr.D.S.Haroon Rasheed,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER:-

For Anticipatory bail in Crime No. 593 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 26.02.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant pre-arrest bail.

2. The petitioner / Accused No.1 apprehends arrest at the hands of the respondent-Police for the offences punishable under Sections 8(c), 20(b)(ii)(A), 22(a), 21(b), 25 and 29(1) of NDPS Act, 1985 and 77 of Juvenile Justice (Care and Protection of Children) Act, 2015 in Crime No.593 of 2024 on the file of the respondent-Police.

3. The case of the prosecution is that on 20.10.2024, at about 02.15 p.m., based on the secret information received by the Inspector of Police, a police team conducted an inspection near the Government Higher Secondary School, Thirvithangodu. During the inspection, they found that Accused Nos.2 to 5 were in illegal possession of 39 prohibited drug tablets. The respondent-police seized the contraband and arrested Accused Nos.2 to 5. Based on the confession of the co-accused, the petitioner herein has been arrayed as Accused No.1 in this case. Hence, the case.

4. Mr.D.S.Haroon Rasheed, learned counsel appearing for the petitioner,



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submits that the petitioner has nothing to do with the alleged offence, and a false case has been foisted against the petitioner. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court, and co-operate with the investigation. Therefore, he prays for granting pre-arrest bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-Police, submits that the respondent-Police seized 39 prohibited drug tablets from Accused Nos.2 to 5 on the spot. He further submits that the petitioner is the main accused in this case and Accused Nos.2 to 5 had purchased the said drug tablets from the petitioner / Accused No.1. He further submits that the investigation has been completed and the respondent-Police is going to file a final report before the concerned Court very shortly. He further submits that there is no previous case pending against the petitioner. Accordingly, he prays to dismiss this petition.

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

7. The petitioner has permanent residence and deep roots in the society and therefore, there is less possibility for absconding. Considering the same and also considering the fact that though the FIR was registered in the year 2024, the respondent-Police has not taken any steps to secure the petitioner till now and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined



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to grant an order of pre-arrest bail to the petitioner subject to the following
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conditions.

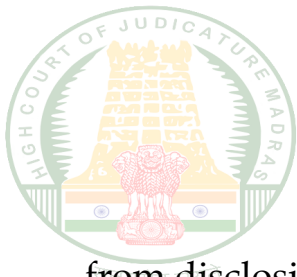
(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate I, Padmanabapuram within a period of 15 days from date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees 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 Judicial Magistrate I, Padmanabapuram;

(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 Judicial Magistrate I, Padmanabapuram shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m., and 05.00 p.m., until further orders;

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

(v) 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



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from disclosing such facts to the Court or to any police officer;

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

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

(viii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate I, Padmanabapuram; and

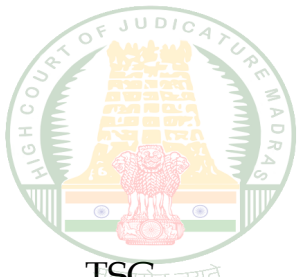
(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate I, Padmanabapuram or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the 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/-
13/03/2025

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/04/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TSG
TO
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1 THE JUDICIAL MAGISTRATE I
PADMANABHAPURAM.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
KANNIYAKUMARI.

3 THE INSPECTOR OF POLICE
THUCKALAY POLICE STATION,
KANYAKUMARI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.3880 of 2025

Date :13/03/2025

HPS/SAR / 01.04.2025/6P/5C

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