



CRL OP(MD) No.4515 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD) No.4515 of 2025

Anbalagan

... Petitioner/ Accused No.5

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Periyakulam Police Station,
Theni District.
Crime No.135 of 2024

... Respondent/ Complainant

For Petitioner : Mr.T.Ramasamy

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Crime No.135 of 2024 on the file of the respondent-police.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> This Criminal Original Petition has been filed by the petitioner on 07.03.2025



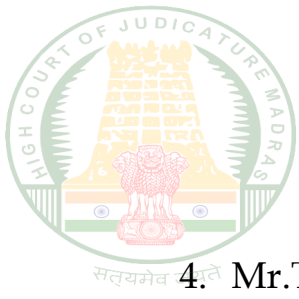
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under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to
grant bail.

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2. The petitioner was arrested and remanded to judicial custody on 30.06.2024, for the alleged offences punishable under Sections 8(c), 20(b)(ii)(A), 22(c), 25 and 29 (1) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.135 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that based on the secret information, on 30.06.2024, at about 10:00 a.m., when the defacto complainant, along with his team, was conducting vehicle check-up on Periyakulam-Kumbakarai Road, they found that in two vehicles, bearing registration Nos.KL-54-G-6124 and TN-33-BV-2230, A1 to A6 (including the petitioner/A5) were jointly in illegal possession of 81.63 gms of METH @ methamphetamine, 0.22 gms of LSD @ Lysergic acid diethylamid, 0.80 gm of cocaine and 100 gms of ganja. The respondent-police seized 7.80 gms of METH @ methamphetamine and 0.11 gms of LSD @ Lysergic acid diethylamid, which comes under the purview of commercial quantity. The petitioner/A5 was arrested on the spot along with other accused persons. Hence, the case.



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4. Mr.T.Ramasamy, the learned counsel appearing for the petitioner, submits that the petitioner has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been falsely implicated in this case. He further submits that the petitioner has been in judicial custody from 30.06.2024. 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 respondent-police seized totally 81.63 gms of METH @ methamphetamine, from A1 to A6, which comes under the purview of commercial quantity. To be noted, the petitioner herein is A5, and 5.20 gms of contraband has been seized from the petitioner / A5 alone. He further submits that if this Court grants bail to the petitioner, he will repeatedly indulge in similar type of offence and also will delay the trial proceedings. Therefore, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the Case Diary.

7. Totally eight accused persons involved in this case and all of them were arrested and have been in judicial custody. Total contraband seized from A1 to A7 is



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81.63 gms, which comes under the purview of commercial quantity. The petitioner and other accused persons possessed the contraband with clear knowledge about the contraband. Hence, this Court is of the view that petitioner and co-accused have conscious possession of the contraband. In this circumstances, this Court is of the view that the petitioner has not discharged the rigor stated under Section 37 of Narcotic Drugs and Psychotropic Substances Act, 1985. Considering the same and also considering facts and circumstances and nature of offence allegedly committed by the petitioner and quantity of the contraband and considering the fact that the further custody of the petitioners is necessary in this case, this Court is of the view that the granting of bail would likely result in a delay in the trial by the petitioner. It is apposite to mention here that one Nohan (Accused No.7) moved bail application before this Court and the same was dismissed vide order dated 27.02.2025 in Crl.OP (MD).No.21278 of 2024. While dismissing this petition, this Court directed the Trial Court to conclude the Trial within a period of three months from 27.02.2025. In view of the aforesaid reasoning, this Court is not inclined to grant bail to the petitioner at this stage.



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8. Accordingly, this Criminal Original Petition stands dismissed.

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/05/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

- 1.THE INSPECTOR OF POLICE,
PERIYAKULAM POLICE STATION,
THENI DISTRICT.
- 2.THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.4515 of 2025
Date :21/04/2025

VN/09.05 .2025 5P/4C

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