



CRL OP (MD) No.5263 of 2025

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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.5263 of 2025

A.Mayakrishnan @ Prakash

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Ramjee Nagar Police Station,
Trichy District.
Crime No.25 of 2025

... Respondent/Complainant

For Petitioner : Mr.NA.Manimaran

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.

PRAYER :-

For bail in Crime No.25 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 19.03.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant bail.



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2. The petitioner/A1 was arrested and remanded to judicial custody on 14.02.2025 for the alleged offences punishable under Sections 8(c) read with 20(b)(ii)(B) and 25 of NDPS Act in Crime No.25 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 14.02.2025, at 01.00 p.m., upon receiving secret information, the respondent-police conducted a raid at Ramje Nagar, New kattur and found that the petitioner was in illegal possession of 1 kg 200 gms of ganja in his two-wheeler bearing Registration No.TN-20-AL-4052. The police arrested the petitioner/A1 and seized contraband and two-wheeler from him. Hence the case.

4. Mr.N.A.Manimaran, the learned counsel appearing for the petitioner, submits that the petitioner did not commit any offence as alleged by the prosecution and that a false case has been foisted against him. He further submits that the petitioner has been in judicial custody since 14.02.2025 and is ready to abide by any condition that may be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. *Per contra*, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-police, submits that the petitioner has four previous cases, which are similar in nature, and therefore, if the petitioner is enlarged on bail,



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he will commit similar type of offence. He further submits that the District Collector / Competent Authority invoked Act No.14/1982 and detained the petitioner under the said Act. In view of the said facts and circumstances, he strongly opposes for grant of bail to the petitioner.

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

7. The petitioner was arrested on 14.02.2025 and has been in judicial custody since then. The respondent-police seized 1.200 kgs of contraband (ganja) from the petitioner, which is admittedly an intermediate quantity, and therefore, the rigors stated in Section 37 of the NDPS Act, would not be applicable to the present case. Further, the petitioner has permanent residence, and therefore, there is less possibility of absconding. Considering the same and also considering the period of incarceration and with a view to give one more opportunity to the petitioner 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 subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Additional District Judge for E.C. and NDPS Act Cases, Pudukottai;



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(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 for E.C. and NDPS Act Cases, Pudukottai shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(iv) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected;

(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 from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(vi) The petitioner shall furnish his residential address and mobile number to the learned Additional District Judge for E.C. and NDPS Act Cases, Pudukottai;



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

(viii) On breach of any of the aforementioned conditions, the learned Additional District Judge for E.C. and NDPS Act Cases, Pudukottai 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/-
25/03/2025

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25/03/2025

Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

MBI

TO

1 THE ADDITIONAL DISTRICT JUDGE
FOR EC AND NDPS ACT CASES, PUDUKOTTAI.



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2 THE INSPECTOR OF POLICE,
RAMJEE NAGAR POLICE STATION,
TRICHY DISTRICT.

3 THE SUPERINTENDENT
CENTRAL PRISON, TRICHY.

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

ORDER

IN

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Date :25/03/2025

SS/SAR- /25/03/2025/ 6P/5C

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