



CRL OP(MD). No.5857 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.03.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Jerish Singh Jeba Singh

... Petitioner/ Accused No.10

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Asaripallam Police Station,
Kanyakumari District.
Crime No.14 of 2025

... Respondent/ Complainant

For Petitioner : Mrs.K.Sasi Prabha

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

PETITION FOR BAIL Under Sec.483 of BNSS
PRAYER :-

For bail in Crime No.14 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 26.03.2025

<https://www.mhc.tn.gov.in/judis> under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying



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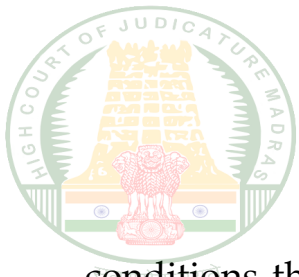
to grant bail.

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2. The petitioner/A10 was arrested and remanded to judicial custody on 05.03.2025 for the alleged offences punishable under Sections 8(c), 20(b)(ii)(B), 25 and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.14 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 25.01.2025, at about 10:00 hours, upon receiving secret information, the defacto complainant, the Sub-Inspector of Police, along with her team, conducted an inspection behind the Kamarajar Auditorium near Arulmighu Mutharamman Temple, Keezhaperuvilai. Upon seeing the police, A1 to A9 attempted to escape. However, the police apprehended them. The police found that A1 to A9 were in possession of 1.750 kg of ganja. The police arrested them and seized the ganja from A1, along with four two-wheelers belonging to the accused persons and a sum of Rs.10,000/- allegedly earned from the sale of ganja. Based on the confession of A1, the petitioner has been arrayed as A10. Hence, the case.

4. Mrs.K.Sasi Prabha, the learned counsel appearing for the petitioner, submits that the petitioner has been falsely implicated in this case and that he did not commit any offence as alleged by the prosecution. She further submits that the petitioner has been in judicial custody since 05.03.2025 and is ready to abide by any



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conditions that may be imposed by this Court. She therefore prays to grant bail to the petitioner.

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5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent-police, submits that the petitioner has no previous cases. He further submits that the petitioner, along with other accused persons, was indulged in the sale of contraband and that, based on the confession of A1, the petitioner has been arrayed as A10 and was arrested on 05.03.2025. He further submits that if the petitioner is enlarged on bail, he may commit similar offence. Hence, he prays to dismiss this Criminal Original Petition.

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

7. The petitioner was arrested on 05.03.2025 and has been in judicial custody since then. The respondent-police seized 1.750 kg of ganja from A1, which is admittedly an intermediate quantity. Further, no contraband is alleged to have been recovered from the petitioner/ A10. In view of the above, this Court is of the opinion that further custody of the petitioner is not necessary in this case for the Investigation Agency. The petitioner has no previous cases. The petitioner has a permanent residence. Therefore, there is less possibility of absconding. Considering the above, and also considering the fact that the petitioner is a first-time offender, and taking note of the period of incarceration, and with a view to give an



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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 Judge, Principal Special Court for EC and NDPS Act Cases, Madurai;

(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 Judge, Principal Special Court for EC and NDPS Act Cases, Madurai shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall furnish his residential address and mobile number to the learned Judge, Principal Special Court for EC and NDPS Act Cases, Madurai;

(iv) The petitioner shall appear and sign before the learned Judge, Principal Special Court for EC and NDPS Act Cases, Madurai on all working days, at 10.30 a.m., until further orders;

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

(vi) 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;

(vii) 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



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evidence; and

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(viii) On breach of any of the aforementioned conditions, the learned Judge, Principal Special Court for EC and NDPS Act Cases, Madurai 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/-
28/03/2025

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

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To

1.The Judge,
Principal Special Court for EC and NDPS Act Cases, Madurai

2.The officer-in-charge,
Sub Jail, Nagercoil.

3.The Inspector of Police,
Asaripallam Police Station,
Kaniyakumari District.



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

+1 CC to M/s.K.SASIPRABHA, Advocate (SR-3638[I] dated 28/03/2025)

ORDER

IN

CRL OP(MD) No.5857 of 2025

Date :28/03/2025

MK/SAR /28.03.2025 6P/6C

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