



CRL.OP(MD). No.6574 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.6574 of 2025

Maruthupandiyan

... Petitioner / Accused
Rank Not Known

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
Oddanchatram Police Station,
Dindigul District.
(Crime No.408 of 2024)

... Respondent / Complainant

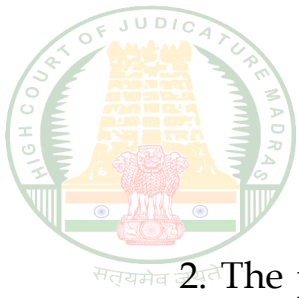
PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the
petitioner in Crime No.408 of 2024 on the file of the respondent police.

For Petitioner : Mr.J.Jeyaaron Raja,
Advocate

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

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 07.04.2025
under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying
to grant an order of pre-arrest bail.



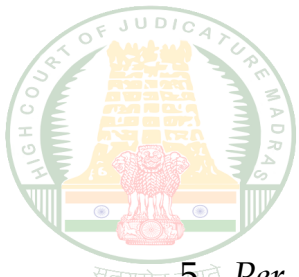
CRL.OP(MD). No.6574 of 2025

WEB COPY

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 8(c) r/w 20(b)(ii)(A) and 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985, and Section 77 of the Juvenile Justice Act, in Crime No.408 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that based on reliable information received from an informant, the respondent-police, along with the police party, conducted a raid on 22.06.2024 at about 11:00 PM at Srirampuram, Thirumalainagar, behind the house of one Kullimokkai. During the raid, Accused Nos.1 to 3 were found in possession of a bag containing 750 grams of ganja. The respondent-police seized the contraband and arrested the accused persons. Subsequently, based on the confession statements of the arrested accused persons, the petitioner herein added as accused. Hence, the case.

4. Mr.J.Jeyaaron Raja, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that there is no recovery from the petitioner herein. He further submits that the petitioner has been implicated only based on the confession statements of co-accused. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.



CRL.OP(MD). No.6574 of 2025

5. *Per contra*, Mr.R.Meenakshi Sundaram, the learned Additional Public
WEB COPY

Prosecutor appearing for the respondent-police, submits that the petitioner has been implicated in this case based on the confession statements given by the co-accused. He further submits that the total contraband seized from the accused persons comes within the category of small quantity. He further submitted that there are no previous cases against the petitioner in similar nature. He further submits that the investigation of the case is still pending and therefore, at this stage, if the pre-arrest bail is granted to the petitioner, he will abscond and tamper the evidence. Accordingly, he prays to dismiss this Criminal Original Petition.

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

7. Considering the fact that there is no recovery from the petitioner, this Court is of the view that the custodial interrogation of the petitioners is not necessary. Further, the petitioner has permanent residence. Hence, there is less possibility of absconding. Considering the same and also considering the quantity of ganja allegedly recovered in this case and with a view to give one more opportunity to the petitioner to reform himself, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest



CRL.OP(MD). No.6574 of 2025

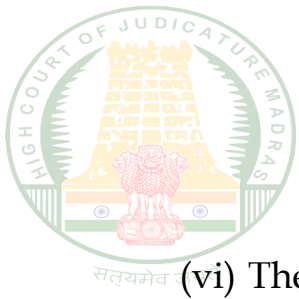
or in the event of his surrender before the learned Judicial Magistrate, Oddanchathiram, Dindigul District, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate, Oddanchathiram, Dindigul District.

(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 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. 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 from disclosing such facts to the Court or to any police officer.



CRL.OP(MD). No.6574 of 2025

WEB COPY

(vi) The petitioner shall also not, directly or indirectly, cause any threat to the witnesses and shall not tamper the evidence.

(vii) The petitioner shall not leave India without the previous permission of the Court.

(viii) The petitioner shall furnish his residential address and mobile number to the concerned Magistrate.

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate 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/-
22/04/2025

/ TRUE COPY /

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

pal



CRL.OP(MD). No.6574 of 2025

To मेव जयते

WEB COPY

- 1.The Judicial Magistrate, Oddanchathiram, Dindigul District.
 - 2.Do through the Chief Judicial Magistrate, Dindigul District.
 - 3.The Inspector of Police,Oddanchatram Police Station,Dindigul District.
 - 4.The Additional Public Prosecutor,Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.J.JEYA ARON RAJA, Advocate (SR-4605[I] dated 23/04/2025)

ORDER IN
CRL OP(MD) No.6574 of 2025
Date :22/04/2025

PP/21.05.2025 6P/6C

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