



CRL OP (MD) No.6902 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Perumal

... Petitioner/Sole Accused

Vs.

The State of Tamil Nadu
Rep. by the Inspector of Police,
Bodinayakkanur Rural Police Station,
Theni District.
Crime No.102 of 2025

... Respondent/Complainant

For Petitioner : Mr.V.Vishnu
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Crime No.102 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 15.04.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to



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grant bail.

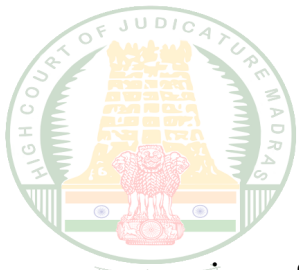
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2. The petitioner/sole accused was arrested and remanded to judicial custody on 28.03.2025 for the alleged offences punishable under Section 123 of Bharatiya Nyaya Sanhita (BNS), 2023 and Sections 8(c) and 20(b)(ii)(A) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.102 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that based on secret information, on 28.03.2025, at about 12:00 hours, the respondent-police reached Meenavilaku at Bodinayakkanur, Theni District. At that time, on seeing the police, the petitioner attempted to escape. However, he was apprehended by the police. On enquiry, it was found that the petitioner was in illegal possession of 50 gms of ganja. Hence the case.

4. Mr.V.Vishnu, 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 28.03.2025. He however submits that the petitioner is ready to abide by any conditions to 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 was in illegal



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possession of 50 grams of ganja and that he has six previous cases, which are similar in nature, and therefore, if the petitioner is enlarged on bail, he will commit similar offence. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides and perused the records.

7. The petitioner was arrested on 28.03.2025 and has been in judicial custody since then. In view of the fact that the quantity of contraband (50 grams of Ganja) allegedly found in the possession of the petitioner is a small quantity, and considering the period of incarceration undergone by the petitioner, this Court is of the opinion that further custody of the petitioner is not necessary for the Investigating Agency in this case. Further, the petitioner has permanent residence, and therefore, there is less possibility of absconding. Considering the same 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 Judicial Magistrate, Bodinayakkanur;

(ii) The sureties shall affix their photographs and left thumb impression in the



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Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate, Bodinayakkanur 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 Judicial Magistrate, Bodinayakkanur;

(iv) The petitioner shall appear and sign before the learned Judicial Magistrate, Bodinayakkanur on all working days twice i.e., at 10.30 a.m. and 05.30 p.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 evidence; and

(viii) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Bodinayakkanur is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by



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him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala
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[(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
17/04/2025

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17/04/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mbi
To

- 1.The Judicial Magistrate, Bodinayakkanur.
2. Do through The Chief Judicial Magistrate, Theni District.
- 3.The Officer-in-charge, Sub Jail, Uthamapalayam.
- 4.The Inspector of Police, Bodinayakkanur Rural Police Station,
Theni District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.6902 of 2025
Date :17/04/2025

NBF/SAR/ (17/04/2025) 5P/6C

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