



CRL OP(MD).No.9634 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9634 of 2025

Alagupandi,
S/o.Annakodi

..Petitioner/ Accused
No.2

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Austinpatti Police Station,
Madurai District.
(Crime No.70 of 2010)

.. Respondent/ Complainant

For Petitioner : Mr.P.Krishnaswami
for
Mr.S.Mayaperumal
For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.70 of 2010 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded into judicial custody on 10.03.2025 for the offences punishable under Sections 8(c) r/w.20(b)(ii)(c) and 25 of the Narcotic Drugs and Psychotropic substances Act, 1985 in Crime No.70 of 2010 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 02.05.2010 the respondent police had conducted routine surveillance, at that time, they found that the petitioner and other accused persons was in illegal possession of 5Kg of Ganja. Hence, the case.

3. The learned counsel for the petitioner would submit on 07.03.2025, the petitioner failed to appear before the trial Court. Therefore, on the same day itself, a Non Bailable Warrant was issued against the petitioner. On 10.03.2025, the warrant was executed and the petitioner was arrested and remanded into judicial custody. The Non-appearance of the petitioner before the Trial Court is neither willful nor wanton. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. He further submits that the petitioner undertakes that he will not abscond and he will regularly appear before the Trial Court on hearing dates without fail. He would further submit that the petitioner is in custody from 10.03.2025 nearly 100 days. Hence, he seeks bail.



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4. The learned Government Advocate (Criminal Side) would submit that the petitioner failed to appear before the trial Court, due to which the trial Court had issued Non Bailable Warrant to the petitioner. The petitioner was arrested and remanded to judicial custody on 10.03.2025. In this case, charge sheet filed and the same was numbered as C.c.No.179 of 2012. There is no previous case against the petitioner. However, he strongly objected to grant bail to the petitioner. He further submits that the crime number mentioned in this petition was wrongly mentioned as Crime No.70 of 2010, in the trial Court order also the crime number was mentioned as Crime No.70 of 2010. But, as per records and instruction obtained from the respondent police, the correct Crime number is Crime No.170 of 2010.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that in this case, charge framed and this case is posted for trial, considering the undertaken given by the learned Counsel for the petitioner, there is no previous case against the petitioner, the petitioner/accused No.2 remanded into judicial custody on 10.03.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:



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6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of I Additional Special Court for Trial of NDPS Act Cases, Madurai and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] The petitioner shall furnish his residential address and contact number to the I Additional Special Court for Trial of NDPS Act Cases, Madurai. If the petitioner changes his residential address, he shall report the same to the I Additional Special Court for Trial of NDPS Act Cases, Madurai;

[c] the petitioner shall appear and sign before the respondent police weekly twice at 10.00 a.m. i.e., on every Monday and Thursday, until further orders and also the petitioner shall appear before the concerned Court on hearing dates.

[d] the petitioner shall not abscond either during investigation or trial.



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[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

sd/-
19/06/2025

/ TRUE COPY /

19/06/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN

TO

1 THE I ADDITIONAL SPECIAL JUDGE
FOR TRIAL OF NDPS ACT CASES, MADURAI.



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2 THE INSPECTOR OF POLICE,
AUSTINPATTI, TNHB COLONY THOPPUR,
THIRUPPARANKUNDRAM TALUK, MADURAI DISTRICT.

3 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.

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

+1 CC to M/s.S.MAYAPERUMAL, Advocate (SR-6515[I] dated 19/06/2025)

ORDER
IN

CRL OP(MD) No.9634 of 2025
Date :19/06/2025

SS/SAR- /19/06/2025/ 6P/6C

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