



CRL OP(MD). No.7557 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.7557 of 2025

Sundarapandian @ Suntharapandiyan

... Petitioner/ Accused No.4

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Gudlaur North Police Station,
Theni District.

Crime No.62 of 2025

... Respondent/ Complainant

For Petitioner : Mr.C.Senthil Murugan

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.62 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-



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This Criminal Original Petition has been filed by the petitioner on 22.04.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the alleged offences punishable under Sections 8(c), 20(b)(ii)(B), 29(1) and 27A of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.62 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 11.04.2025, at about 14.00 hours, based on secret information, the respondent-Police conducted search near Suruli River, where they intercepted A1 to A3 and on search, found that they were in illegal possession of 1.2 kg of Ganja. On enquiry, A1 to A3 gave confession that they purchased the contraband from this petitioner. Hence, the case.

4. Mr.C.Senthil Murugan, learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. He however submits that the petitioner is



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ready to abide any conditions to be imposed by this Court. Hence, he prays for
grant of pre-arrest 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 A1 to A3 purchased Ganja from this petitioner. He further submits that the petitioner has no previous case. He prays to dismiss this Criminal Original Petition.

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

7. Considering the fact that this petitioner has been arrayed as an accused only based on the confession of A1 and A3, and considering the fact that the petitioner has permanent residence and deep roots in the Society and therefore, there is less possibility of absconding, and taking note of the fact that the petitioner is a first time offender and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Uthamapalayam,



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within a period of 15 days from the date on which the order copy is made ready, on
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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,
Uthamapalayam;

(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
identity proof of each surety to ensure their identity;

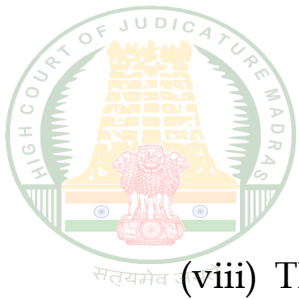
(iii) The petitioner shall make himself available for interrogation by police as
and when required;

(iv) 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 them from disclosing such facts to the Court or to any police officer;

(v) The petitioner shall not leave India without prior permission of the Court;

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

(vii) The petitioner shall furnish his residential address and mobile number to
the learned Judicial Magistrate, Uthamapalayam;



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(viii) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

(ix) On breach of any of the aforementioned conditions, concerned Magistrate or Trial Judge 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 them 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/-
24/04/2025

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/05/2025
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 JUDICIAL MAGISTRATE,
UTHAMAPALAYAM.



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2. DO THROUGH

THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3. THE INSPECTOR OF POLICE,
GUDLAUR NORTH POLICE STATION,
THENI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.7557 of 2025

Date :24/04/2025

VN /27.05.2025 6P/5C

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