



CRL OP(MD). No.8374 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 08.05.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.8374 of 2025

S.Parthiban

... Petitioner/ Sole Accused

Vs

The State of Tamilnadu,
Rep.By the Inspector of Police,
PEW Thirumangalam Police Station,
Madurai District.
(Crime No.49 of 2025)

... Respondent/Complainant

For Petitioner : Mr.S.Ramsundarvijayraj

For Respondent : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS, 2023

PRAYER :-

For bail in Crime No.49 of 2025 on the file of the respondent-police.



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ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 05.05.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner / sole accused was arrested and remanded to judicial custody on 17.04.2025 for the alleged offences punishable under Sections 8(c), 20(b)(ii)(A) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 77 of the juvenile justice (Care and protection of children) Act, 2015 in Crime No.49 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 17.04.2025, at about 10.00 a.m., based on the secret information, when the defacto complainant, the Inspector of Police, along with his team, reached the spot, the accused persons were selling ganja to school-going students. On seeing the police, the students fled from the scene. On inspection, it is noticed that the petitioner was found in possession of 20 grams of ganja. The police arrested the accused and seized the ganja from him. Hence, the case was registered.

4. Mr.S.Ramsundarvijayraj, the 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 the petitioner. He further submits that



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the petitioner has been in judicial custody since 17.04.2025. He however submits that the petitioner is ready to abide by any condition to be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. Mr.A.Thiruvadi Kumar, Additional Public Prosecutor appearing for the respondent-police, submits that 20 grams of ganja was recovered from the petitioner at the spot. He further submits that if bail is granted to the petitioner, he may commit the similar offence again. Accordingly, 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 17.04.2025 and is in judicial custody since then. Considering the nature of offences alleged against the petitioner, considering the quantity of ganja allegedly possessed by the petitioner, considering the period of incarceration, with a view to give one more opportunity to the petitioner to effectively participate the trial proceedings, and to ensure fair trial procedures, 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.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees



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Twenty Five Thousand only) to the satisfaction of the learned Judicial Magistrate,
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Thirumangalam.

(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, Thirumangalam. shall obtain a copy of any one of identity proofs to ensure their identity;

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

(iv) 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;

(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 or tamper with the evidence;

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

(vii) The petitioner shall appear and sign before the respondent-Police daily at 10.30 a.m., until further orders;

(viii) On breach of any of the aforementioned conditions, the learned Judicial



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Magistrate, Thirumangalam, is entitled to pass appropriate orders against the
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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/-
08/05/2025

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

TRP

TO

1.THE JUDICIAL MAGISTRATE, THIRUMANGALAM.

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3.THE INSPECTOR OF POLICE,
PEW THIRUMANGALAM POLICE STATION,
MADURAI DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, THIRUMANGALAM, MADURAI.

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



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+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-5405[I] dated
09/05/2025)

ORDER
IN
CRL OP(MD) No.8374 of 2025
Date :08/05/2025

MK/SAR /12.05.2025 6P/7C

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