



CRL OP(MD). No.9989 of 2025

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

Date : 27/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Nepolean @ Antonydas Nepolean,
S/o.John Bosco

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Cumbum South Police Station,
Theni District.
(Crime No.250 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.S.Vidhya Sagar,
Advocate

For Respondent : Mr.Thanga Aravindh.B,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.250 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(B), 22(a), 29(1) and 25 of Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.250 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that based on secret information, the de-facto complainant conducted a check at the place of occurrence. At that time, the accused persons were found in illegal possession of 2.900 grams of ganja and 1 gram of methamphetamine. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that this is the third anticipatory bail application filed before this Court. The petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He has been implicated in this case solely based on the confession of the co-accused. He, however, submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submitted that this is the case of the year 2024. There are totally seven accused persons in this case and the petitioner has been arrayed as A3. A1, A2, A5 and A6 were arrested and



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subsequently released on bail. The entire contraband has been seized. He also submitted that there are 3 previous cases registered against the petitioner. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and taking note of the fact that as this is the case of the year 2024, by this time most of the investigation might have been completed, and that the entire contraband has already been seized, and that the some of the co-accused were arrested and subsequently released on bail, and that the custodial interrogation of the petitioner is not necessary at this stage, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the Special Court for Narcotic Drug and Psychotropic Substances Act Cases, Madurai, on condition that the petitioner shall execute 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 the respondent police or the police officer who intends to arrest or to the satisfaction of the Special Court for Narcotic Drug and Psychotropic Substances Act Cases, Madurai, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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(a) the petitioner and 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 mobile number to the learned Special Judge for Narcotic Drug and Psychotropic Substances Act Cases, Madurai. In the event of any change in his residential address, the petitioner shall report the same to the learned Special Judge for Narcotic Drug and Psychotropic Substances Act Cases, Madurai;

(c) the petitioner shall report before the respondent police daily twice i.e. at 10.30 a.m. and 05.30 p.m. until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond 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]* and;



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(g) if the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

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

MKN

TO

1 THE SPECIAL COURT FOR NARCOTIC DRUG
AND
PSYCHOTROPIC SUBSTANCES ACT CASES,
MADURAI.

2 THE INSPECTOR OF POLICE,
CUMBUM SOUTH POLICE STATION,
THENI DISTRICT.

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

+1. CC to S. VIDHYA SAGAR Advocate SR.No.6922 (I) DT.30/06/2025



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ORDER
IN
CRL OP(MD) No.9989 of 2025
Date :27/06/2025

NM/09.07.2025/ 6P/5C

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