



CRL OP(MD). No.8438 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.8438 of 2025

M.Sundaralingam

... Petitioner / Accused No.4

Vs

The State of Tamilnadu,
Rep.By the Inspector of Police,
PEW Sathur Police Station,
Sathur,
Virudhunagar District.
(Crime No. 14 of 2025)

... Respondent/Complainant

For Petitioner : Mr.A.D.Ganeshamoorthi

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Crime No. 14 of 2025 on the file of the respondent-police.



CRL OP(MD). No.8438 of 2025

WEB COPY

ORDER : The Court made the following order :-

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/ accused was arrested and remanded to judicial custody on 25.03.2025 for the alleged offences punishable under Sections 8(c) r/w 20(b)(ii)(B), 25 and 29(1) of NDPS Act 1985 in Crime No.14 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that based on the secret information, on 25.03.2025, at around 05.30 a.m., the petitioner along with other three accused were arrested near the bus stop opposite Ayyanar Mill, Mallanginaru. During search, they found in possession of approximately 4 kgs of Ganja, which had been smuggled from Andhra Pradesh with the intent to sell locally. Hence, the case.

4. Mr.A.D.Ganeshamoorthi, the learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution



CRL OP(MD). No.8438 of 2025

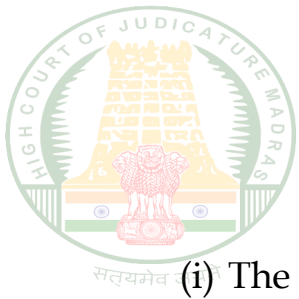
WEB COPY

and that a false case has been foisted against the petitioner. He further submits that the petitioner has been in judicial custody since 25.03.2025. 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, learned Additional Public Prosecutor, appearing for the respondent-police submits that the petitioner along with other accused persons have smuggled and possessed with 4 kgs of Ganja. He further submits that if bail is granted to the petitioner, he may commit the similar offences again. Accordingly, he strongly oppose to this Criminal Original Petition.

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

7. The petitioner was arrested on 25.03.2025 and is in judicial custody since then. Considering the nature of offences alleged against the petitioner and also considering the period of incarceration undergone by the petitioner, 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:



CRL OP(MD). No.8438 of 2025

WEB COPY

(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 Additional District and Sessions Judge/Presiding officer Special Court for E.C, and NDPS Act Cases, Pudukkottai;

(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 Additional District and Sessions Judge/Presiding officer Special Court for E.C, and NDPS Act Cases, Pudukkottai 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 BNS, 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 Additional District and Sessions Judge/Presiding officer Special Court



CRL OP(MD). No.8438 of 2025

for E.C, and NDPS Act Cases, Pudukkottai;

WEB COPY

(vii) The petitioner shall appear and sign before the respondent-Police daily at 09.00 a.m., until further orders;

(viii) On breach of any of the aforementioned conditions, the learned Additional District and Sessions Judge/Presiding officer Special Court for E.C, and NDPS Act Cases, Pudukkottai is entitled to pass appropriate orders against the 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

/ TRUE COPY /

/05/2025

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

trp



CRL OP(MD). No.8438 of 2025

TO मेव जयते

WEB COPY

- 1.The Additional District and Sessions Judge/
Presiding officer Special Court for E.C,
and NDPS Act Cases,
Pudukkottai
 - 2.The Officer Incharge,
District Prison,
Virudhunagar.
 - 3.The Inspector of Police,
PEW Sathur Police Station,
Sathur,
Virudhunagar District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1 CC to M/s.A.D.GANESA MOORTHY, Advocate (SR-5436[I] dated 09/05/2025)

ORDER
IN

CRL OP(MD) No.8438 of 2025
Date :08/05/2025

VN/12.05.2025 6P/6C

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