



CRL OP(MD). No.8444 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.05.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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(*)Balasundar @ Balachandar

... Petitioner / Accused No.3

Vs

The State of Tamilnadu,
Rep.By the Inspector of Police,
Anna Nagar Police Station,
Madurai City.
(Crime No. 331 of 2025)

... Respondent/Complainant

For Petitioner : Mr.S.Maya Perumal

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Crime No. 331 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 05.05.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner / accused no.3 was arrested and remanded to judicial custody on 09.04.2025 for the alleged offences punishable under Sections 8(c), 20(b) (ii)(B), 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985, on the file of the respondent-police.

3. The case of the prosecution is that on 09.04.2025, at about 12.05 hours, the respondent-Police along with other Police officials conducted an inspection near water tank behind the Kaliamman Kovil Street, Vandiyur. During the inspection they found that Accused No.1 to 5 were illegally possessed 1.300 kgs of Ganja. The respondent-Police thereafter seized the same from them and registered a case. The petitioner herein has been arrayed as Accused No.3. Hence the case.

4. Mr.S.Maya Perumal, 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 09.04.2025. 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, learned Additional Public Prosecutor appearing for the respondent-police, submits that the petitioner along with other accused persons have illegally possessed 1.300 kgs of ganja. He further submits that the petitioner has one previous case and in view of the bad antecedent, 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 09.04.2025 and is in judicial custody since then. Considering the nature of offences alleged against the petitioner and taking into account of the quantity of the contraband seized from the petitioner, with a view to given an opportunity to the petitioner to reform himself, 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:



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(i) The petitioner shall execute a bond for a sum of 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 Principal Special Judge for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai;

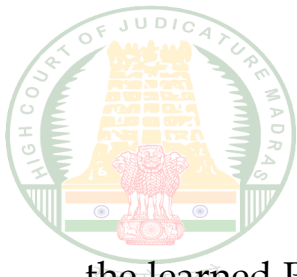
(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Principal Special Judge for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai shall obtain a copy 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



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the learned Principal Special Judge for Narcotic Drugs and Psychotropic Substances
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Act Cases, Madurai;

(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 Principal
Special Judge for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai
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.

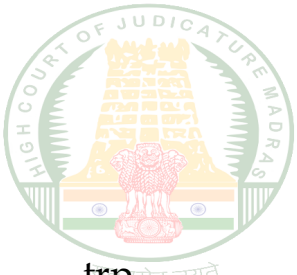
sd/-
08/05/2025

(*)Amended as per Order of this Hon'ble Court
dt.22/05/2025 in CrI.MP(MD).6594/2025 in
CrI.OP(MD).8444/2025 By PVMJ.

Further Time is extended till 11.06.2025 to
comply with the order passed by this Court in
CrI.O.P.(MD).No. 8444 of 2025, dated
08.05.2025.

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27/05/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO BE SUBSTITUTED WITH THE ORDER DT.08/05/2025 IS ALREADY
DESPATCHED
TO

1.The Principal Special Court for Narcotic Drugs and Psychotropic
Substances Act Cases,
Madurai.

2.The Officer-in-Charge,
District Prison, Virudhunagar.

3.The Inspector of Police,
Anna Nagar Police Station,
Madurai City.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.MAYA PERUMAL, Advocate (SR-5404[I] dated 09/05/2025)

ORDER IN
CRL OP(MD) No.8444 of 2025
Date :08/05/2025

VN/12.05.2025 6P/6C

MKN

SA/SAR. /27.05.2025/6P/6C

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