



CRL OP(MD). No.8511 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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Tamilselvan @ Thangapandian

... Petitioner / 3rd Accused

Vs

The State of Tamilnadu,
Rep.By the Inspector of Police,
Nesamony Nagar Police Station,
Kanyakumari District.
(Crime No. 154 of 2025)

... Respondent/Complainant

For Petitioner : Mr.S.Mukesh
For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Crime No.154 of 2025 on the file of the respondent-police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 06.05.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to



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grant bail.

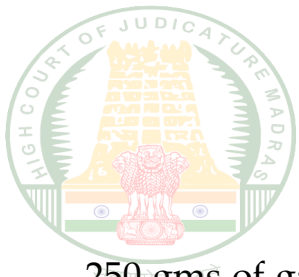
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2. The petitioner/ accused No.3 was arrested and remanded to judicial custody on 01.04.2025 for the alleged offences punishable under Sections 8(c) r/w 20 (b)(ii)(B) and 29(1) of the NDPS Act and Section 123 of the BNS Act in Crime No.154 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that, based on secret information and the confession of a co-accused, the respondent-Police, along with other Police officials, conducted a search at the residence of the petitioner on 01.04.2025 at about 1:50 p.m., and seized an amount of Rs. 18,200/- alleged to be the proceeds from the sale of ganja, along with 250 grams of ganja. Hence, the case.

4. Mr.S.Mukesh, 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 / the petitioner has been falsely implicated in this case. He further submits that the petitioner has been in judicial custody since 01.04.2025. 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 herein was in illegal possession of



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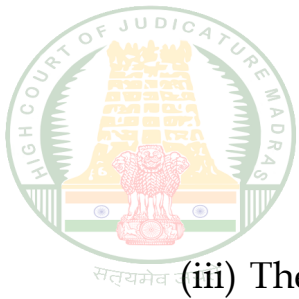
250 gms of ganja. He further submits that if bail is granted to the petitioner, he may
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commit the similar offence again. Accordingly, he prays to dismiss this Criminal
Original Petition.

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

7. The petitioner was arrested on 01.04.2025 and is in judicial custody. Considering the nature of offences alleged against the petitioner and also considering the quantity of ganja allegedly possessed by the petitioner and also considering the period of incarceration, 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 Twenty Five 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;



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

(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 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].



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8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

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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 Judge, Principal Special Court for
Narcotic Drugs and Psychotropic Substances Act Cases,
Madurai.
- 2.The Inspector of Police,
Nesamony Nagar Police Station,
Kanyakumari District.
- 3.The Officer-in-Charge, District Jail, Kanyakumari.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.8511 of 2025
Date :08/05/2025

MK/SAR /12.05.2025 5P/5C

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