



CRL OP(MD). No.8657 of 2025

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

Date : 14/05/2025

PRESENT

The HONOURABLE MR. JUSTICE K. RAJASEKAR

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Syed Ali,
S/o Syed Masood,
15-1-72 Kathiravan Colony,
Poolankudiyiruppu, Pudur,
Puliyur,
Tirunelveli 627 813.

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Pavoorchatram Police Station,
Tenkasi.Crime No. 325 of 2022.

... Respondent/ Complainant

For Petitioner : MR.A.Mohamed Arif,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- To enlarge the petitioner on bail in C.C No. 887 of 2023 on the file of the Communal Clash court, Madurai in connection with Crime No. 325 of 2022 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner/ Accused, who was arrested and remanded to judicial custody on 07.04.2025 for the offences punishable under Sections 8(c), 20(b)(ii)(B) of NDPS Act, in Crime No. 325 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner involved in possession of 1.050 Kgs of Ganja. He was released on regular bail and he was appearing regularly before the trial Court. Due to non appearance before the trial Court, on 10.02.2025, NBW was issued and the petitioner was surrendered on 07.04.2025 and filed a petition for recalling the NBW, which was dismissed and the petitioner was remanded to judicial custody.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he has been arrested and he is languishing in jail from 07.04.2025. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail on the ground that the petitioner absconded during the trial.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is not having any previous case and he was regularly



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appeared, before issuance of NBW, I am inclined to grant bail to the petitioner on
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certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 learned Communal Clash Court, Madurai.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall report before the trial Court once in a week, ie. every Monday at 10.30 a.m., until further orders;

(iii) the petitioner shall not tamper with evidence or witness;

iv) the petitioner shall not abscond during trial.

v) 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].



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[vi] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-
14/05/2025

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

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TO

1. THE COMMUNAL CLASH COURT, MADURAI.
2. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
3. THE INSPECTOR OF POLICE,
PAVOORCHATRAM POLICE STATION,
TENKASI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD) No.8657 of 2025
Date :14/05/2025

PR/15.05 .2025 4P/5C

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