



CRL OP(MD). No.8612 of 2025

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

Date : 22/05/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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1. Nivash

2. Samjebadurai

3. Krishnan

... Petitioners/ Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
(Crime No. 57 of 2025).

... Respondent/Complainant

For Petitioner : Mr.C.Senthil Murugan,
Advocate.

For Respondent : Mr,R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 57 of 2025 on the file of the respondent Police.

ORDER : The Court made the following order :-



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The petitioners/A1 to A3, who were arrested and remanded to judicial custody on 15.04.2025 for the offences under sections 8(c) and 20(b)(ii(A) of NDPS Act and Section 4(1)(A) of the Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.57 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners and other accused were in illegal possession of 250 grams of contraband. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they are college students and a false case has been foisted against them. He would further submit that the petitioners are in custody from 15.04.2025. Hence, he seeks bail.

4. The learned Additional Public Prosecutor would submit that the petitioners and other accused were in illegal possession of 250 grams of contraband. He would further submit that the petitioners 1 and 3/A1 and A3 have no previous cases and the second petitioner/A2 has one previous case which is similar in nature. Hence, he objected to grant bail to the petitioners. However, he fairly concedes that the property seized was only a small quantity.

5. Taking into consideration the facts and circumstances of the case and also the fact that property has been recovered and also taking into consideration the period of incarceration and taking note of the fact the quantity of the seized



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contraband and the petitioners are college students, this court is inclined to grant
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bail to the petitioners, subject to the certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their 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 learned Judicial Magistrate, Kamuthi, and on further conditions that :-

[a] 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 petitioners shall make a non refundable deposit of Rs.5,000/- (Rupees Five Thousand only) each to the credit of the Chairman/District Collector, District Mineral Foundation Trust of the concerned District, without prejudice to their defence before the trial Court and produce the acknowledgment at the time of executing bond;

[c] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of fifteen (15) days and thereafter as and when required for interrogation;

[d] the petitioners shall not abscond either during investigation or trial; [e] the petitioners shall not tamper with evidence or witness either during investigation



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or trial;

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[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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

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

sd/-
22/05/2025

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

APD
TO

1. The Judicial Magistrate, Kamuthi.
2. Do-Through The Chief Judicial Magistrate, Ramanathapuram District.
3. The Officer-in-Charge, District Prison, Ramanathapuarum.
4. The Inspector of Police, Abiramam Police Station, Ramanathapuram District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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copy to

The Chairman/District Collector, District Mineral Foundation Trust,
Ramanathapuram District.

ORDER

IN

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Date :22/05/2025

NBF/23.05.2025 5P/7C

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