



CRL OP(MD)No.8862 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.05.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD)No.8862 of 2025

Sathish Kumar

... Petitioner

Vs

The State of TamilNadu,
Rep. by the Inspector of Police,
Silaiman Police Station,
Silaiman, Madurai District.
(Crime No.87 of 2025)

... Respondent

For Petitioner : Mr.N.Pragalathan

For Respondent : Mr.R.M.Anbunithi,

Additional Public Prosecutor

PETITION FOR BAIL Under Sec. 483 BNSS, 2023

PRAYER :-

For Bail in Crime No.87 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 09.04.2025 for the offences punishable under Sections 8(c) r/w 20(b)(ii) (B), 25 and 29(1) of NDPS Act, 1985, in Crime No.87 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, the defacto complainant is the Sub-Inspector of Police. On 09.04.2025, after getting secret information that the 1st and 2nd



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accused^s are selling the Ganja nearby the burial ground, Sakkimangalam, the respondent police went and caught the 1st and 2nd accused. At that time, they found that they were in possession of 12 kg of Ganja. While enquiring the accused, it was informed that the said Ganja was purchased from the petitioner / 3rd accused. Hence, the respondent arrested all the three persons and registered the case.

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 09.04.2025. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent police opposed for grant of bail on the ground that the investigation is still pending.

5. Considering the fact that the petitioner is in custody from 09.04.2025, the investigation might have been completed, this Court is inclined to grant bail to the petitioner on 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Principal Special Court for NDPS ACT cases, Madurai, and on further conditions that,



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a)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;

b)the petitioner shall report before the respondent police daily at 10.30 a.m. and 5.30 p.m., until further orders;

c)the petitioner shall not tamper with evidence or witness;

d)the petitioner shall not abscond during trial.

e)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].

f) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

sd/-
21/05/2025

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



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1. The Principal Special Judge for NDPS Act cases, Madurai.
2. The Superintendent, Central Prison, Madurai.
3. The Inspector of Police, Silaiman Police Station,
Silaiman, Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.8862 of 2025
Date :21/05/2025

NBF/23.05.2025 4P/5C

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