

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26-09-2025**

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 8853 of 2025

R.Marikutty

Petitioner(s)

Vs

State Of Tamilnadu Rep By Inspector Of Police,
Kovilpatti West Police Station, Thoothukkudi
District. Crime No. 353/2022.

Respondent(s)

For Petitioner(s): Alagan.M

For Respondent(s): E.Antony Sahaya Prabahar, Additional Public
Prosecutor

Prayer:

C-32B. To grant bail for the petitioner/accused in C.C.No. 1289/2022 in Crime No. 353/2022 in Honourable Communal Clash Case, Madurai on the file of the respondent police.

ORDER

The petitioner/Accused No.2, who was arrested and remanded to judicial custody on 20.03.2025 for the offences punishable under Sections 8(c) r/w 20 (b)(ii)(B) and 29(1) of NDPS Act. in Crime No.353 of 2022, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that on 11.06.2022 at about 12.30 pm., the respondent police seized 1 kg 300 gm of ganja. Hence, this case.

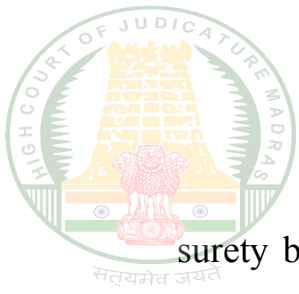
3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he has been arrested and he is languishing in jail from 20.03.2025. Therefore, he prays for grant of bail.

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. Since the quantity of ganja is an intermediate quantity, this Court is inclined to grant bail to the petitioner on certain conditions.

6. Accordingly, 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 Court of Communal Clash Cases, Madurai, and on further conditions that,

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;

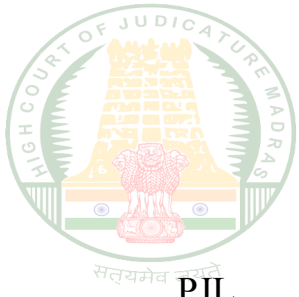
b)the petitioner shall report before the respondent police daily at 10.30 a.m., for two weeks and thereafter, at 10.30 a.m., once in a week, until further orders;

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.



26-09-2025

PJL
To
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1. Inspector Of Police, Kovilpatti West
Kovilpatti West Police Station,
Thoothukkudi District.
Crime No. 353/2022.
2. Court of Communal Clash Cases, Madurai.
3. Central Prison, Madurai.
4. The Additional Public Prosecutor, Madurai Bench Of
Madras High Court, Madurai.