



CRL OP(MD). No.9233 of 2025

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

Date : 10.06.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD). No.9233 of 2025

1.Ashokumar,
S/o.Kamaraj

2.Karthik,
S/o.Saravanan

...Petitioners / A1 and A2

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thanjavur West Police Station,
Thanjavur District.
(Crime No.174 of 2025)

... Respondent/ Complainant

For Petitioners: Mr.K.M.Karunakaran,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate
(Criminal Side)

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.



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PRAYER :- For Bail in Crime No.174 of 2025 on the file of the respondent police.

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ORDER : The Court made the following order :-

The petitioners / accused nos.1 and 2, who were arrested and remanded to judicial custody on 01.05.2025 for the offences under Sections 8(c) read with 20(b)(ii) (B) of the Narcotic Drugs and Psychotropic Substance Act, 1985, in Crime No.174 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant, who is the Inspector of Police, preferred a complaint before the respondent police against the petitioners stating that on 01.05.2025 at about 11.00 hrs., based on the secret information, the respondent police found that the accused persons were carrying 1.150 Kilo grams of Ganja. At that time, the respondent police were found the possession of 1.150 Kgs of Ganja roped in bundle and the same was seized by the respondent police. Further the 1st petitioner given a confession before the respondent police and the petitioners were arrested from occurrence place. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against the petitioners. He would further submit that the petitioners are hailing from a respectable family and law-abiding citizen and got permanent address. He would



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further submit that the petitioners are in custody from 01.05.2025. Hence, he seeks
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bail.

4. The learned Government Advocate (Criminal Side) would submit that there are totally two accused persons in this case and the petitioners are A1 and A2. He would further submit that A1 has nine previous cases and A2 has six previous cases and they are history sheet rowdies. He would further submit that investigation in this case has not been completed. He would further submit that if bail is granted to the petitioners, they will abscond and tamper with the evidence. He, therefore, opposes the grant of bail to the petitioners.

5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the nature of the offence allegedly committed by the petitioners and also taking into consideration the period of incarceration and the quantity of the contraband seized from the accused persons, this court is inclined to grant bail to the petitioners, however, subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on bail on their 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 Additional District



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Judge नयदे / Presiding Officer, Special Court under Essential Commodities Act,
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Thanjavur, 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 furnish their residential address and mobile number to the learned Additional District Judge / Presiding Officer, Special Court under Essential Commodities Act, Thanjavur. If the petitioners changes their residential address, they shall report the same to the learned Additional District Judge / Presiding Officer, Special Court under Essential Commodities Act, Thanjavur.

[c] the petitioners shall appear and sign before the respondent police daily twice at 10.30 a.m. and 05.30 p.m. until further orders.

[d] the petitioners shall not abscond either during investigation or trial.

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

[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



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Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

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

sd/-
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/06/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL
TO

1. THE ADDITIONAL DISTRICT JUDGE / PRESIDING OFFICER,
SPECIAL COURT UNDER ESSENTIAL COMMODITIES ACT,
THANJAVUR.
2. THE OFFICER-IN-CHARGE,
SUB JAIL,
THANJAVUR.
3. THE INSPECTOR OF POLICE,
THANJAVUR WEST POLICE STATION,
THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-6094[I] dated 10/06/2025)
<https://www.mhc.tn.gov.in/judis>



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ORDER
IN
CRL OP(MD) No.9233 of 2025
Date :10/06/2025

HPS/10.06.2025 /6P/6C

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