



CRL OP(MD). No.10086 of 2025

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

Date : 27/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Vijayakanth,
S/o.Sambasivamoorthy

... Petitioner/ A4

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Velipalayam Police Station,
Nagapattinam District.
(Crime No.409 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.J.Yogeswaran,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.409 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(B) and 29(1) of Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.409 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 14.12.2024, based on secret information, the de-facto complainant, while on patrol duty, stopped a container lorry bearing Registration No.TN-56-S-4565. Upon seeing the police, the accused persons attempted to flee from the scene. However, they were apprehended and found in illegal possession of 10 kilograms of ganja. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that this is the second anticipatory bail application filed before this Court. The petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He has been arrayed as an accused in this case solely based on the confession of the co-accused. He, however, submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail.



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4. The learned Government Advocate (Crl. side) submitted that this is the case of the year 2024. There are totally five accused persons in this case and the petitioner has been arrayed as A4. Except the 4th accused, all other accused were arrested and subsequently released on bail. The entire contraband, including the vehicle, has been seized. He also submitted that there are no previous cases registered against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and taking note of the fact that as this is the case of the year 2024, by this time most of the investigation might have been completed, and that the co-accused were arrested and subsequently released on bail, and that as the entire contraband has already been seized, the custodial interrogation of the petitioner is not necessary at this stage, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Additional District Judge/Presiding



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Officer, Special Court under EC Act Cases, Thanjavur, on condition that the
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petitioner shall execute 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
respondent police or the police officer who intends to arrest or to the satisfaction of
the learned Additional District Judge/Presiding Officer, Special Court under EC Act
Cases, Thanjavur, failing which, the petition for anticipatory bail shall stand
dismissed and on further condition that:

(a) the petitioner and 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 petitioner shall furnish his residential address and mobile number to
the learned Additional District Judge/Presiding Officer, Special Court under EC Act
Cases, Thanjavur. In the event of any change in his residential address, the
petitioner shall report the same to the learned Additional District Judge/Presiding
Officer, Special Court under EC Act Cases, Thanjavur;

(c) the petitioner shall report before the respondent police daily twice i.e. at
10.30 a.m. and 05.30 p.m. until further orders;

(d) the petitioner shall not tamper with evidence or witness either during
investigation or trial;



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(e) the petitioner shall not abscond 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 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] and;

(g) if the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
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/07/2025

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

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TO मेव जयते

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1.THE ADDITIONAL DISTRICT COURT
(SPECIAL COURT UNDER EC ACT CASES),
THANJAVUR.

2.THE INSPECTOR OF POLICE,
VELIPALAYAM POLICE STATION,
NAGAPATTINAM DISTRICT.

3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.J.YOGESWARAN, Advocate (SR-6941[I] dated 01/07/2025)

ORDER

IN

CRL OP(MD) No.10086 of 2025

Date :27/06/2025

PSN/14.07.2025 6P/5C

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