



CRL OP(MD). No.9899 of 2025

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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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Thangapandi,
S/o.Mokkamayan

... Petitioner/ A3

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Chekkanurani Police Station,
Madurai District.
(Crime No.438 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.438 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioner/A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(B), 25 and 29(1) of Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.438 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 13.12.2024, based on secret information, while the respondent police were on patrol duty, they stopped a car bearing Registration No.TN-14-U-1924. Upon seeing the police, the 1st and 2nd accused attempted to flee from the scene. At that time, the 2nd accused experienced sudden chest pain and was taken to the Government Hospital in Madurai, and the 1st accused was found in illegal possession of 4 kilograms of ganja. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He has been implicated 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.

4. The learned Government Advocate (Crl. side) submitted that this is the case of the year 2024. There are totally four accused persons in this case and the petitioner has been arrayed as A3. A1, A2 and A4 were arrested and subsequently



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released on bail. The entire contraband, including the vehicle, has been seized. He also submitted that there are 22 previous cases registered against the petitioner, out of which seven cases are of a similar nature. He further submitted that the investigation in this case has been completed and the respondent police is going to file a charge sheet. Hence, he opposed to grant anticipatory bail to the petitioner.

5. In reply, the learned counsel for the petitioner submitted that out of the seven NDPS cases, four cases have already been disposed of.

6. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and taking note of the fact that this is the case of the year 2024, and that the entire contraband has already been seized, and that the co-accused were arrested and subsequently released on bail, and that the investigation in this case has already been completed, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

7. 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 Judicial Magistrate No.II, Usilampatti, Madurai District, on condition that the petitioner shall execute 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 respondent police or the police officer who intends



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to arrest or to the satisfaction of the learned Judicial Magistrate No.II, Usilampatti, Madurai District, 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 Judicial Magistrate No.II, Usilampatti, Madurai District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.II, Usilampatti, Madurai District;

(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;

(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



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in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560] and;

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(g) if the accused/petitioner thereafter abscond, a fresh FIR can be registered

under Section 269 of BNS, 2023.

sd/-
27/06/2025

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/07/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mkn
TO

- 1 THE JUDICIAL MAGISTRATE NO.II, USILAMPATTI, MADURAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE, CHECKANURANI, CHEKKANURANI POLICE STATION, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.J.YOGESWARAN, Advocate (SR-6942[I] dated 01/07/2025)

ORDER
IN
CRL OP(MD) No.9899 of 2025
Date :27/06/2025

NBF/08.07.2025 5P/6C

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