



CRL OP(MD).No.10154 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10154 of 2025

Prabakaran @ Ammbal Prabakaran
S/o.Mahalingam

..Petitioner/ Sole Accused

Vs

The Inspector of Police,
Mayiladuthurai Police Station,
Mayiladuthurai District.
(Crime No.370 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.C.Suresh Kannan
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.370 of 2025 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 27.05.2025 for the offences punishable under Sections 8(c) r/w. 20(b)(ii) (B) of NDPS Act in Crime No.370 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on the secret information, on 27.05.2025, the defacto complainant, along with other police were went to the Thiruvilanthoor, Theppaithal Amman Temple, wherein the petitioner was standing along with gunny bags. On seeing the respondent police, the petitioner tried to escape from the scene of occurrence. On search, they found 1.75 kgs of ganja in the gunny bags and he was arrested by the respondent police. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioner is in custody from 27.05.2025 nearly 42 days. Hence, he seeks bail.



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4. The learned Government Advocate (Criminal Side) would submit that while conducting routine checkup, the respondent police found that the petitioner was in illegal possession of 1.75 kgs of ganja in the gunny bags. The property was seized by the respondent police. There are five previous cases pending against this petitioner and not similar in nature. However, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the contraband involved in this case is not a commercial quantity, the property was already seized by the respondent police, the petitioner remanded into judicial custody on 27.05.2025, taking into consideration of the period of incarceration, and also the fact that previous cases are not similar in nature, this Court is inclined to grant bail to the petitioner, subject to the following 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 learned Additional District and Sessions Judge/Presiding Officer Special Court under Essential Commodities Act, Thanjavur, 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 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 contact number to the learned Additional District and Sessions Judge/Presiding Officer Special Court under Essential Commodities Act, Thanjavur. If the petitioner changes his residential address, he shall report the same to the learned Additional District and Sessions Judge/Presiding Officer, Special Court under Essential Commodities Act, Thanjavur;

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

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

[e] the petitioner 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 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].



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[g] If the accused thereafter absconds, a fresh FIR can be registered under

Section 269 BNS.

sd/-
07/07/2025

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08/07/2025

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

VSD
TO

1 THE ADDITIONAL DISTRICT AND
SESSIONS JUDGE/PRESIDING OFFICER, SPECIAL
COURT UNDER ESSENTIAL COMMODITIES ACT,
THANJAVUR.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, CUDDALORE.

3 THE INSPECTOR OF POLICE,
MAYILADUTHURAI POLICE STATION,
MAYILADUTHURAI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.10154 of 2025

Date :07/07/2025

SA/SAR- /08/07/2025/ 5P/5C

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