



CRL OP(MD). No.10269 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.10269 of 2025

Muthu,
S/o.Sekar

... Petitioner/ A6

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Gandamanur Police Station,
Theni District.
(Crime No.73 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.C.Susi Kumar,
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.73 of 2025 on the file of the Respondent Police.



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WEB COPY ORDER: The Court made the following order :-

The petitioner/ A6, 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.73 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that based on secret information, the de-facto complainant and other police officials were on surveillance near the four way Bus Stop. At that time, they apprehended the 1st and 3rd accused, who had alighted from a bus, and found that the 1st accused was 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 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 there are totally eight accused persons in this case and the petitioner has been arrayed as A6. A1 to A5 were arrested, and among them, A4 and A5 were released on bail on 23.05.2025 by the learned Additional District Judge, Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai in Crl.M.P.Nos.1186 and 1187 of 2025 respectively. The entire contraband 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 two of the co-accused were arrested and subsequently released on bail, and that there are no previous cases registered against the petitioner, 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 NDPS Court, Madurai, 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 NDPS Court, Madurai, 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 NDPS Court, Madurai. In the event of any change in his residential address, the petitioner shall report the same to the NDPS Court, Madurai;

(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



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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;

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

mkkn
To

1.The Judge, NDPS Court,
Madurai.

2.The Inspector of Police,
Gandamanur Police Station,
Theni District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-6998[I] dated 01/07/2025)

ORDER IN
CRL OP(MD) No.10269 of 2025
Date : 27/06/2025

SB/15.07.2025 5P/5C

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