

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.07.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD). No.11461 of 2025

Bharathiraja,
S/o.Kesavan

...Petitioner / Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Ramjee Nagar Police Station,
Trichy District.
(Crime No.138 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.P.Ganapathi Subramanian,
Advocate.

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

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

PRAYER :- For Bail in Crime No.138 of 2025 on the file of the respondent police.



ORDER : The Court made the following order :-

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The petitioner / accused, who was arrested and remanded to judicial custody on 30.05.2025 for the offences under Sections 8(c) read with 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.138 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, based on secret information, the respondent found the accused persons in possession of 1.150 kilograms of ganja. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that a false case has been foisted against the petitioner. He would further submit that the petitioner is ready to abide by any conditions to be imposed by the Court. He would further submit that the petitioner is in custody from 30.05.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner was found in possession of 1.150 kilograms of ganja, which is not a commercial quantity, worth about Rs.11,500/-. He would further submit that there



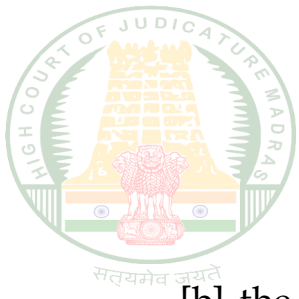
are four previous cases against the petitioner. He would further submit that the alleged contraband has been recovered from the petitioner. He would also submit that investigation in this case is still pending and, therefore, he opposes the grant of bail to the petitioner.

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 petitioner and also taking into consideration the quantity of the contraband seized from the petitioner and also the fact that the alleged contraband has already been recovered, this court is inclined to grant bail to the petitioner, however, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his 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 learned Additional District and Sessions Judge / Presiding Officer, Special Court for E.C. and NDPS Act Cases, Pudukkottai, 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.



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[b] the petitioner shall furnish his residential address and mobile number to the learned Additional District and Sessions Judge / Presiding Officer, Special Court for E.C. and NDPS Act Cases, Pudukkottai. If the petitioner changes his residential address, he shall report the same to the learned Additional District and Sessions Judge / Presiding Officer, Special Court for E.C. and NDPS Act Cases, Pudukkottai.

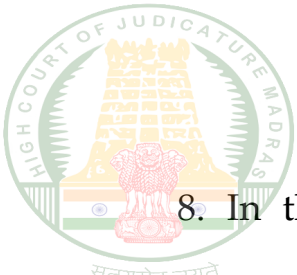
[c] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m. until further orders.

[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].

[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/-
08/07/2025

/ TRUE COPY /

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

TO

1. The Additional District and Sessions Judge /
Presiding Officer, Special Court
for E.C. and NDPS Act Cases, Pudukkottai.
2. The Superintendent,
Central Prison, Trichy.
3. The Inspector of Police,
Ramjee Nagar Police Station, Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.11461 of 2025
Date :08/07/2025

MGJ (08.07.2025) 5P/ 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023