



CRL OP(MD). No.12179 of 2025

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

Date : 23/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.12179 of 2025

Hariakash
S/o.Sellappandi.

: Petitioner/ A3

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thenkarai Police Station,
Theni City.
(Crime No.310 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.P.Sivakumar,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.310 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A3, who apprehends arrest at the hands of the respondent



CRL OP(MD). No.12179 of 2025

police for the offences punishable under Sections 8(c), 20(b)(ii)(A), 25 and 29 of
WEB COPY
Narcotic Drugs and Psychotropic Substances Act 1985 and Section 77 of Juvenile
Justice Act, in Crime No.310 of 2025 on the file of the respondent police, seeks
anticipatory bail.

2.The case of the prosecution is that on 24.06.2025, based on secret information,
the respondent police found that the petitioner, along with the other accused was in
possession of 70 grams of cannabis. Hence, the case.

3.The learned counsel 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 only on the basis of the confession of the co-accused. He
further submitted that the co-accused/A1 and A2 were already released on bail in
Cr.M.P.No.1408 of 2025 and CrI.M.PNo.1425 of 2025, by the learned Principal
Sessions Judge, Theni. Hence, he seeks anticipatory bail for the petitioner.

4.The learned Government Advocate (Criminal Side) submitted that there are
totally three accused in this case and the petitioner has been arrayed as A3. On



CRL OP(MD). No.12179 of 2025

24.06.2025, based on secret information, the respondent police found that the petitioner, along with the other accused was in possession of 70 grams of cannabis. He further submitted that the entire contraband was recovered and the co-accused/A1 and A2 were already released. However, he opposed to grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and taking note of the fact that the entire contraband has already been recovered and the occurrence had taken place on 24.06.2025, by this time most of the investigation might have been completed and also considering the fact that the petitioner is not having any previous case and the co-accused/A1 and A2 were already released on bail, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Periyakulam, 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



CRL OP(MD). No.12179 of 2025

respondent Police or to the Police Officer, who intends to arrest or to the satisfaction
WEB COPY
of the learned Judicial Magistrate, Periyakulam, and on further conditions 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;

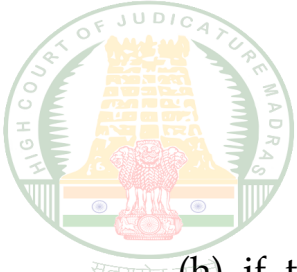
(b) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Periyakulam. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Periyakulam;

(c) the petitioner shall report before the respondent police daily at 10.30 a.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 in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



CRL OP(MD). No.12179 of 2025

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

WEB COPY

sd/-
23/07/2025

/ TRUE COPY /

/08/2025

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

das

TO

- 1.The Judicial Magistrate, Periyakulam.
- 2.Do through the Chief Judicial Magistrate, Theni.
- 3.The Inspector of Police,
Thenkarai Police Station,
Theni City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.12179 of 2025

ORDER
IN
CRL OP(MD) No.12179 of 2025
Date :23/07/2025

PR/07.08.2025 6P/5C

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