



CRL OP(MD). No.12313 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31.07.2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Santhosh kumar

..Petitioner/ Accused No.2

Vs

State of Tamil Nadu
Rep by the Inspector of Police,
Mandakadu Police Station,
Kanyakumari District.
(Crime No.35 of 2025)

... Respondent/Complainant

For Petitioner : Mr.P.Prabhakaran
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.35 of 2025 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 13.06.2025 for the offences punishable under Sections 8(c), 20(b)(ii)(B), 25, 29(i) of NDPS Act, in Crime No.35 of 2025 on the file of the respondent police, seeks bail,

2. The case of the prosecution is that the petitioner along with other accused persons were found in illegal possession of 1.100 kgs of Ganja and the same was seized by the respondent police. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that there is no previous case pending against the petitioner. He would further submit that the petitioner is in judicial custody from 13.06.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that there are totally four accused persons involved in this case and the petitioner is arrayed A2



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as per the alteration report. He further submitted that A1, A2 had already been arrested and remanded to judicial custody and A3 is absconding and A4 was released on bail by the Juvenile Justice Board. He further submitted that the entire contraband was recovered and there is no previous case pending against the petitioner. He further submitted that the investigation is almost completed. However, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the fact that the entire contraband was recovered and there is no previous case pending against the petitioner. Furthermore, the seized contraband is not commercial quantity and also considering the period of incarceration suffered by the petitioner, 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 Principal Special Court for trial of NDPS Act, Cases, Madurai, and on further conditions that :-



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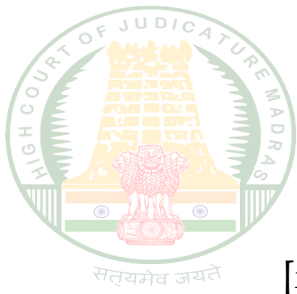
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] The petitioner shall furnish his residential address and mobile number to the Principal Special Court for trial of NDPS Act, Cases, Madurai.

(c) If the petitioner changes his residential address, he shall report the same to the Principal Special Court for trial of NDPS Act, Cases, Madurai.

[d] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

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



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[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] 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].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

sd/-
31/07/2025

/ TRUE COPY /

31/07/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

msrm
TO

1 THE PRINCIPAL SPECIAL JUDGE,
FOR TRIAL OF NDPS ACT, CASES, MADURAI.

2 THE SUPERINTENDENT,
SUB JAIL, NAGERCOIL, KANYAKUMARI DISTRICT.



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3 THE INSPECTOR OF POLICE,
MANDAKADU POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.P.PRABHAKARAN, Advocate (SR-8241[I] dated 31/07/2025)

ORDER
IN
CRL OP(MD) No.12313 of 2025
Date :31/07/2025

AS/31.07.2025/6P/6C

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