



CRL OP(MD). No.15267 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 22/09/2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Shanmugavel

... Petitioner/A4

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
B4-Keeraithurai Police Station,
Madurai City- District.
(Crime No.105 of 2024)

... Respondent/Complainant

For Petitioner : Mr. S.Kasirajan
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Cr.No.105 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner, who was arrested and remanded to judicial custody on 17.04.2025 for the offences punishable under Sections 8 (c) r/w 20(b)(ii)(c), 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.105 of 2024 on the file of the respondent police, was granted bail and now he is jumped out of bail. Hence, this petition.

2. The case of the prosecution is that after filing of charge sheet, the case was taken on file in C.C.No.130 of 2025 by the trial Court. Before committal of the case, the petitioner was granted regular bail on certain conditions by this Court in CrI.O.P(MD)No.16223 of 2024 on 19.10.2024. Subsequently, the trial proceedings have been started on 23.08.2024. On 07.03.2025, the present petitioner was absent and on account of the same, the bail proceedings was cancelled by the trial Court and the trial Court issued NBW warrant on 07.03.2025.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that based on the



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confession of the co-accused, the petitioner was falsely implicated in this case. The contention of the petitioner is that he conducted his marriage on 07.03.2025, hence, he could not appear before the trial Court for hearing. As far as the other hearings are concerned, he has been regularly attending the trial Court. It is a split up trial. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor vehemently objected to grant of bail to the petitioner stating that the petitioner will not attend the trial and the trial is pending for cross-examination of the Investigating Officer and posted on 06.10.2025.

5. Taking into consideration of the facts and circumstances of the case and also considering the age of the petitioner and the fact that the petitioner has jumped out of bail on one day alone and more over, the petitioner is arrayed as an accused based on the confession of the co-accused, this Court is inclined to grant bail to the petitioner, subject to certain conditions.



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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 blood sureties, each for a like sum to the satisfaction of the Special Court Exclusive trial EC and NDPS Act Cases, Madurai, and on further conditions that :-

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

[b] the petitioner shall report before the trial Court for each and every hearing without fail;

[c] the petitioner is strictly directed not to miss single hearing before the trial Court;

[d] the petitioner is directed to conduct the cross-examination of the Investigating Officer on 06.10.2025 without fail; otherwise bail granted will be automatically cancelled;

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

[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



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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 BNSS.

22.09.2025

PJL

To

1. The Judge,
Special Court Exclusive trial EC and NDPS Act Cases,
Madurai,
2. The Superintendent, Central Prison,
Madurai.
3. The Inspector of Police,
B4-Keeraithurai Police Station,
Madurai City- District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

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