



CRL OP(MD). No.15469 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date :17.09.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Mohamed Anas
2. Maharajan

... Petitioners/A1 & A3

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli District
(Crime No.268 of 2025)

... Respondent/Complainant

For Petitioner : Mr.J.William Christopher

**For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor**

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.268 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 petitioners/A1 and A3, who were arrested and remanded to judicial custody on 06.09.2025 for the offences punishable under Section 20(b)(ii)(A), 29(1), 8(c) of NDPS Act and Section 77 of Juvenile Justice (Care and Protection of Children) Act in Crime No.268 of 2025 on the file of the respondent police seek bail.

2. The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 100grams of ganja with an intent to sell the same to the children. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are ready and willing to abide by any conditions which may be imposed by this Court and they are in judicial custody from 06.09.2025. Hence, he seek bail to the petitioners.



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4. The learned Additional Public Prosecutor submitted that the petitioner along with other accused were found in illegal possession of 100grams of ganja with an intent to sell the same to the children. He would further submit that five previous are pending against the first petitioner, of which one case is under NDPS Act and four previous cases are pending against the second petitioner, of which two cases are under NDPS Act, hence he opposed for grant of bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also taking into consideration the period of incarceration suffered by the petitioners and also the fact that the contraband involved in this case is below commercial quantity, this Court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Tirunelveli, 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 petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate No.IV, Tirunelveli

[c] If the petitioners changes their residential address, they shall report the same to the learned Judicial Magistrate No.IV, Tirunelveli

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

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

[f] the petitioners 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 petitioners in accordance with law as if



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the conditions have been imposed and the petitioners 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.

17.09.2025

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To

1. The Judicial Magistrate No.IV, Tirunelveli
2. The Superintendent, Central Prison, Tirunelveli
3. The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

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ORDER
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