



CRL OP(MD). No.16511 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 26.09.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Sivasan @ Abi
2. Ganesammorthy @ Mottaikundu

... Petitioners/ Accused Nos.1 & 2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Town East Police Station,
Thanjavur District.
(Crime No.257 of 2025)

... Respondent/Complainant

For Petitioners : Mr.K.M.Karunakaran

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.257 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 31.08.2025 for the offences punishable under Sections 8(c) r/w. 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substance Act, 1985, in Crime No. 257 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners were found in illegal possession of 1.600 kilograms of ganja. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent person and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are in judicial custody from 31.08.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that A-1 has two previous cases, A-2 has six previous cases. Therefore, he opposed



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for grant of bail to the petitioners.

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5. Taking into consideration the fact that even though the petitioners have previous cases, the present case does not involve commercial quantity and also considering the period of incarceration suffered by the petitioners, 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 Additional District / Presiding Officer Special Court under Essential Commodities Act, Thanjavur, and on further conditions that :-

[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall report before the respondent Police daily at 10.30 a.m., until further orders. They have to co-operate for the investigation.



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[c] the petitioners shall not tamper with the evidence or witness either during investigation or trial.

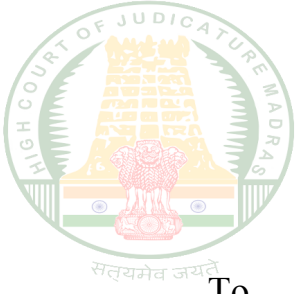
[d] the petitioners shall not abscond either during investigation or trial.

[e] 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 is 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].

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

(S S Y J)
26.09.2025

jbr



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To
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1. The Additional District / Presiding Officer Special Court
under Essential Commodities Act, Thanjavur.
2. The Superintendent, Sub Jail,
Thanjavur.
3. The Inspector of Police,
Town East Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

jbr

ORDER
IN
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