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CRL OP(MD) NO. 18954 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03-11-2025

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THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 18954 of 2025

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Petitioner(s)

Vs

The State Rep.by,
The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai Town,
Sivagangai District.

(In Crime No.512 of 2025)

Respondent(s)

For Petitioner(s): Mr.Niranjan S. Kumar

For Respondent(s): Mr.E.Antony Sahaya Prabahar, Additional Public Prosecutor

Prayer:

C-32B For Bail in Crime No.512 of 2025 on the file of the respondent Police.

ORDER: The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 19.09.2025 for the offences punishable under Sections 8(c) and 20(b)(ii)(C) of NDPS Act, 1985, in Crime No. 512 of 2025, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the respondent police seized 3 kg of ganja from the accused. Hence, this case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he has been arrested and he is languishing in jail from 19.09.2025. Therefore, he prays for grant of



bail.

4. The learned Additional Public Prosecutor appearing for the respondent police opposed for grant of bail on the ground that the investigation is still pending. Further, there are eleven previous cases against the petitioner among which 2 cases are 302 cases, 2 cases are 307 cases and 2 cases are Arms Act cases.

5. Considering the fact that the quantity of ganja is not a commercial quantity and considering the duration of the custody, this Court is inclined to grant bail to the petitioner on certain 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 NDPS Act cases, Pudukkottai, and on further conditions that,

a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

b) the petitioner shall report before the Dean of the Government Hospital, Sivagangai, daily at 10.30 a.m. and do social service at the Government Hospital, Sivagangai, for a period of four weeks. However, considering the broken leg of the petitioner, the petitioner shall do lighter service. Thereafter, the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.;



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c)the petitioner shall not tamper with evidence or witness;

d)the petitioner shall not abscond during 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 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 of BNS.

03-11-2025

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To

1. The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai Town,
Sivagangai District.

2. Principal Special Court for NDPS Act cases,
Pudukkottai.

3.The District Jail,
Ramanathapuram.



4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

5.The Dean,
Government Hospital,
Sivagangai.

