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CRL OP(MD). No.21657 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 27/11/2025

PRESENT
The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.21657 of 2025

1.Prasath @ Prasath Radhakrishnan
2.Joyal @ A.Joyal ... Petitioners/A1&A2

Vs

The State of Tamilnadu Rep by,
The Inspector of Police,
Eraniel Police Station,
Kanniyakumari District.
(Crime No.573 of 2025). .. Respondent/Complainant

For Petitioner : T.Wins,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- C-32B. For Bail in Crime No.573 of 2025 on
the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded
to judicial custody on 07.11.2025 for the offences
punishable under Sections 8(c) read with 20(b)(ii)(A)
of NDPS Act, and Section 123 of BNS, in Crime No. 573
of 2025 on the file of the respondent police, seek

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bail.

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2. The case of the prosecution is that the petitioners were found illegal possession of 30 gms 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 07.11.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that A1 is having one previous case and A2 is having two previous cases. However, he opposed for grant of bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and inspite of the petitioners having previous cases, the seized contraband is not commercial quantity and also



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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 Judicial Magistrate, Eraniel, Kanniyakumari District, 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;

[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.



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S. SRIMATHY, J.

PJL

[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.

27.11.2025

PJL

TO

1. The Judicial Magistrate Court,
Eraniel, Kanniyakumari District.

2. The Superintendent, Sub Jail, Nagercoil.

3. The Inspector of Police,
Eraniel Police Station, Kanniyakumari District.

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

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