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CRL OP(MD). No.21686 of 2025

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

Date : 27/11/2025

PRESENT
The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Hussain Basha ... Petitioner/A1

Vs

The State of Tamilnadu Rep by,
The Inspector of Police,
Woraiyur Police Station,
Trichy City.
(Crime No.704 of 2025). .. Respondent/Complainant

For Petitioner : Ramakrishnan.S,

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-C-38B. For Bail in Crime No.704 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 13.11.2025 for the offences
punishable under Sections 123 of BNS, in Crime No.704
of 2025 on the file of the respondent police, seeks



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bail.

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2. The case of the prosecution is on secret information, the respondent police went to the occurrence place near woraiyur kaval kara street where the petitioner is standing. While the respondent police has caught the petitioner and thereafter, the petitioner has given a voluntary confession that the petitioner had purchased TOPCYNTA-100 drug tablet from the third party and thereafter he sell the same tot he customer. Hence, the case.

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 confession of the co-accused, the petitioner is arrayed as accused in the present case and the petitioner is in judicial custody from 13.11.2025. Hence, he seeks bail to the petitioner.



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4. The learned Additional Public Prosecutor submitted that the petitioner is having three previous cases. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and inspite the petitioner is having three previous cases in which he got bail, considering the fact that the seized contraband is not commercial quantity, and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following 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) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Madurai, and on further conditions that :-

[a] the petitioner and the sureties shall affix their photographs and left



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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 petitioner shall do social work in Sri Sai Saran Old Age Home, Ammamandapam, Srirangam, Trichy, for a period of four weeks, and thereafter the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[d] the petitioner 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



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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 No.IV,
Madurai.
2. The Superintendent,
Central Prison, Trichy.
3. The The Inspector of Police,
Woraiyur Police Station,
Trichy City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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S. SRIMATHY, J.

PJL

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