



CRL OP(MD). No.22227 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/12/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Harish @ Harish Kumar

2. Maheswari

... Petitioners/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
PEW-Palani, Police Station,
Palani, Dindigul District.
(Crime No.125 of 2025)

... Respondent/Complainant

For Petitioners : Mr.N.Pragalathan

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.125 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/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 8(c) r/w. 20(b)(ii)(B), 25 and 29(1) of Narcotic Drugs and Psychotropic Substance Act, 1985, in Crime No.400 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused, was found in illegal possession of 2.200 kilograms of ganja. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner was found in illegal possession of 2.200 kilograms of ganja. He further submitted that no previous case is pending against the petitioners. Therefore, he opposed



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for grant of anticipatory bail to the petitioners.

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5. Taking into consideration the fact that no previous case is pending against the petitioners and that the present case does not involve commercial quantity, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Principal Special Judge for NDPS Act Cases, Madurai, on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 Aadhar card or Bank pass Book to ensure their identity;



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(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 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 petitioners in accordance with law as if 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]*; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

(S S Y J)
04.12.2025

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TO
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1. The Principal Special Judge for NDPS Act Cases,
Madurai.
2. The Inspector of Police,
PEW-Palani, Police Station,
Palani, Dindigul District.
3. 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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