



CRL OP(MD). No.22758 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.12.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.22758 of 2025

Prabhakaran

... Petitioner / Accused No.2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Sivanthipatti Police Station,
Tirunelveli District.
(Crime No.390 of 2025)

... Respondent / Complainant

For Petitioner : Mr.C.Kannathasan

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.390 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 11.09.2025 for the offences punishable under Sections 8(c) r/w 20(b) (ii)(B) of the Narcotic Drugs and Psychotropic Substance Act, 1985, in Crime No.390 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 1.950 kilograms of ganja. Hence, the complaint.

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 the petitioner is in judicial custody from 11.09.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner was found in illegal possession of 1.950 kilograms of ganja. He further submitted that there are no previous cases against the petitioner. However, he opposed for grant of bail to the petitioner.



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5. Taking into consideration the facts and circumstances of the case and that the present case does not involve 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) with two sureties, each for a like sum to the satisfaction of the learned Principal Special Court for NDPS Act Cases, Madurai, and on further conditions that :-

[a] the petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m., until further orders. He has to co-operate for the investigation.



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[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 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)
11.12.2025

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- 1.The Principal Special Court for NDPS Act Cases,
Madurai.
2. The Superintendent,
Central Prison,
Palayamkottai,
Tirunelveli District.
- 3.The Inspector of Police,
Sivanthipatti Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

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ORDER
IN
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