



CRL OP(MD)No.23384 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.12.2025

PRESENT

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

Crl.O.P.(MD)No.23384 of 2025

1.Kathir @ Kathirarasu

2.Jayasurya

...petitioners/Accused Nos.2 & 3

Vs

The State of Tamil Nadu
Rep. by Inspector of Police,
Samayanallur Police Station,
Madurai District.

(Crime No.249 of 2025)

.. Respondent/Complainant

For petitioners : M/s.A.Thiyagarajan

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.249 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, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(B) & 29(1) of NDPS Act, 1985, in Crime No.249 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on the basis of the secret information, the respondent police conducted a ride near Samayanallur to Thodaneri and on seeing the respondent, the petitioners try to flee from the occurrence place and A1 was caught red handed. On search, they found 1 kg and 100 grams of Ganja. The entire contraband was seized from A1 and on confession of A1, the petitioners were added as the accused. Hence, the case.

3. The learned Counsel for the petitioners would submit that the petitioners are innocent persons and they have falsely implicated in this case. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) would submit that totally there are 3 accused. A1 and A2 have no previous cases and 3 has 15 previous cases, one under NDPS and other offences of IPC. A1 was arrested with contraband. Hence, he opposed to grant anticipatory bail to the petitioners.



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5. Considering the facts and circumstances of the case and also only 1.100 kgs of ganja has been found from the petitioners which is not a commercial quantity, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Vadipatti, Madurai District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, 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 Judicial Magistrate Court, Vadipatti, Madurai 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall furnish his residential address and contact number to the learned Judicial Magistrate Court, Vadipatti, Madurai District. In the event of any change in his residential address, the petitioners shall report the same to the learned Judicial Magistrate Court, Vadipatti, Madurai District.



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(d) the 1st petitioner is directed to appear before the respondent police daily at 10.30 a.m. until further order and the 2nd petitioner is directed to do social service in Government Cancer Institute, Madurai, for a period of two weeks and thereafter is directed to appear before the respondent police daily at 10.30 a.m., until further orders.

(f) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(g) the petitioners shall not abscond either during investigation or trial;

(h) 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;

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

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S.SRIMATHY,J

RJR

To

1. The learned Judicial Magistrate Court,
Vadipatti, Madurai District
2. The Inspector of Police,
Samayanallur Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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