



CRL OP(MD). No.22365 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Antony Pitchai @ Antony @ Mookkan,

... Petitioner/ Accused No.10

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thiruchendur Police Station,
Thoothukudi District.
Crime No.164 of 2023..

... Respondent/ Complainant

For Petitioner : Mr.R.Ilayaraja,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner on bail pending trial in C.C.No.160 of 2024 on the file of the Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Case, Madurai and pass such further or other orders as this Honble Court may deem fit



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ORDER : The Court made the following order :-

The petitioner / Accused No.10, who was voluntarily surrendered and remanded to judicial custody on 26.11.2024 for the offences under Sections 8(c), 20(b)(ii)(c) and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985 in C.C.No.160 of 2024 on the file of the Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Case, Madurai, seeks bail.

2. The case of the prosecution is that on 08.05.2023, at about 12.30 hours, based on the information received by the Sub-Inspector of Police, a vehicle check-up was conducted at Thiruchendur – Tirunelveli road near Kumarapuram. At that point of time, a vehicle was identified and on seeing the police party, the accused person fled the scene. On search of the vehicle, 120 kilograms of 'Ganja' was found in three gunny bags and the same was also seized. There are totally ten accused persons in this case and the petitioner has been arrayed as Accused No.10.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police.



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4. The petitioner had earlier filed anticipatory bail petition before this Court and the same was dismissed. Thereafter, the petitioner surrendered on 26.11.2024 and he was remanded to judicial custody. The case is now pending in C.C.No.160 of 2024.

5. It is seen from records that all the other accused persons have been enlarged on bail by this Court, except Accused No.4. It is also brought to the notice of this Court that there are no previous cases against the petitioner.

6. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner very often travels to foreign country and therefore, there is a flight risk in this case. Hence, the learned Additional Public Prosecutor opposed the grant of bail to the petitioner.

7. Taking into consideration the facts and circumstances of the case and considering the fact that the other accused persons have been enlarged on bail except Accused No.4, this Court is inclined to enlarge the petitioner on bail subject to the following conditions.



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8. Accordingly, the criminal original petition is ordered and 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 Judge for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai and on further conditions that:-

[a] 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 petitioner shall report before the learned Principal Special Judge for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai daily at 10.30 a.m till charges are framed and thereafter, during every date of hearing without fail.

[c] the petitioner shall surrender his passport before the same Court.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court



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is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
08/01/2025

/ TRUE COPY /

08/01/2025

Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

- 1 THE PRINCIPAL SPECIAL JUDGE
FOR NARCOTIC DRUGS AND PSYCHOTROPIC
SUBSTANCES ACT CASES, MADURAI.
- 2 THE INSPECTOR OF POLICE,
THIRUCHENDUR POLICE STATION,
THOOTHUKUDI DISTRICT.
- 3 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.



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4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.ILAYARAJA, Advocate (SR-270[I] dated 08/01/2025)

ORDER
IN

CRL OP(MD) No.22365 of 2024

Date :08/01/2025

SS/SAR- /08/01/2025/ 6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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