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CRL OP No. 3375 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 3375 of 2026

B.Praveen Kumar

..Petitioner(s)

Vs

State Rep. by
The Inspector of Police,
PEW-Erode Police Station,
Erode District.
Crime No.721 of 2023

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail, in the event of his arrest by the Respondent police, pending investigation of the case in Crime No.721 of 2023 on the file of the Respondent and thus render justice.

For Petitioner(s): Mr.Vijayaragavan Marimuthu

For Respondent(s): Ms.J.R.Archana

Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest by the respondent police for the offences punishable under Sections 8(c) and 20(b)(ii)(B) of NDPS Act 1985, in Crime No.721 of 2023 seeks anticipatory bail.



2. The allegation against the petitioner is that he was ranked as A2, and that a recovery of 2kgs of ganja was effected from A1, who was found in possession of the same. Apprehending arrest in connection with the said case, the petitioner has filed the present petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that based on the confession of the arrested accused/A1, this petitioner was added as an accused. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there are totally two accused in this case and the petitioner is ranked as A2. He further submitted that A1 was arrested and he is in judicial custody. He further submitted that the petitioner has one previous case pending against him. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

6. Considering the submissions made by the learned counsel on either side, and also considering the fact that based on the confession of the arrested accused/A1, this petitioner was implicated as an accused, and that the quantity involved is intermediate quantity, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate No.II, Erode***, on condition that the petitioners shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only), with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition 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 respondent police daily at 10.30 a.m, for a period of two weeks and thereafter as and when required for interrogation;**
- (c) the petitioner shall not tamper with 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 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;

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(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

12-02-2026

GBI

To

- 1.State Rep. by
The Inspector of Police,
PEW-Erode Police Station,
Erode District.
Crime No.721 of 2023.
- 2.The Judicial Magistrate No.II, Erode.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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