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CRL OP No. 3485 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 3485 of 2026

Siva

..Petitioner(s)

Vs

State Rep.by, The Sub Inspector of Police,
Periyathatchur Police Station,
Villupuram District.
Cr.No.62 of 2025.

..Respondent(s)

Prayer: This Criminal Original Petitioner is filed under Section 482 of BNSS to enlarge the Petitioner on anticipatory bail in the event of petitioner arrest in pending investigation in Crime No:62 of 2025, on the file of Respondent police.

For Petitioner(s): Mr.P.Pandiyaraj

For Respondent(s): Ms.J.R.Archana, GA (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for offences punishable under Sections 8(c) and 20(b)(ii)(A) of the NDPS Act, 1985, in Crime No. 62 of 2025, seeks anticipatory bail.

2. The allegation against the petitioner is that, acting on secret information, the respondent police conducted a search at Rettanai Village (behind the petrol bunk). During the search, the police recovered 60 grams of Ganja from the first accused (A1). Upon noticing the police, the other

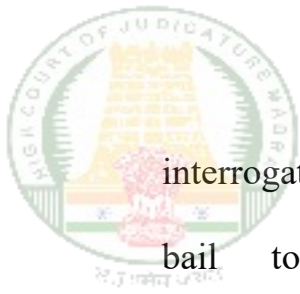


accused (A2 to A10) fled from the scene of occurrence. During the subsequent investigation, the petitioner was arrayed as A3. Consequently, a complaint was registered.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated by the respondent police. He further submitted that the petitioner is a Taxi Driver by profession and is willing to cooperate fully with the investigation. Accordingly, he prayed for the grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side), appearing for the respondent police, submitted that the alleged contraband was recovered from A1 and totally ten accused are involved in this case. The petitioner has been arrayed as A3; A1 and A2 have already been arrested and are currently in judicial custody. She further submitted that the investigation is still ongoing and, therefore, opposed the grant of anticipatory bail.

5. Considering the specific overt act alleged against the petitioner, the fact that only a small quantity (lesser quantity) was recovered, and noting that the petitioner has no prior criminal record, this Court finds that custodial



interrogation is not necessary. Accordingly, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the learned **Judicial Magistrate Court_II, Tindivanam**, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 am., for a period two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

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



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[d] 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].

[e] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

17-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

JAI

To

1. The Inspector of Police,
Periyathatchur Pollce Station,
Villupuram District.
2. The Judicial Magistrate-II. Tindivanam.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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