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Crl.O.P.No.11468 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.05.2026

CORAM:

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

Crl.O.P.No.11468 of 2026

Junaith @ Mohammed Junaith,
S/o Athi Basha,
No.1/6, Masuthi Street, Dharapadavedu,
Katpadi Post, Vellore District – 632 007.

... Petitioner/Accused No.3

Versus

State represented by
The Inspector of Police,
Gudiyatham Taluk Police Station,
Vellore District.
(Crime No.286 of 2025)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on bail in the event of his arrest by the Respondent police pending investigation in Crime No.286 of 2025 on the file of the Respondent Police.

For Petitioner : Mr.S.Pannerselvan

For Respondent : Mr.V.Meganathan
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioner on 29.04.2026 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



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2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Section 8(c) r/w 22(b), 23(b) and 29(1) of the NDPS Act, 1985, in Crime No.286 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that, based on secret information received by the respondent police on 20.11.2025 at about 23.50 hours, the defacto complainant and others proceeded to Ulli Kootraod for vehicle checking. At that time, during the search of A1 and A2, they found that they were in possession of two pockets of Methamphetamine weighing 1.50 grams each, totally 3 grams. Based on the confession statement of A1 and A2, the petitioner / A3 was implicated in this case. The investigation further revealed that the petitioner had allegedly supplied Methamphetamine to the other accused. Hence, the case.

4. Mr.S.Pannerselvan, the learned counsel for the petitioner, submits that the petitioner is an engineering student, is innocent person and has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.



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5. *Per contra*, Mr.V.Meganathan, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner / accused had supplied Methamphetamine to the other accused and that this is the fourth anticipatory bail application filed by the petitioner. He further submits that there are no previous cases against the petitioner. He further submits that if pre-arrest bail is granted to the petitioner, he will abscond and tamper with the evidence. Therefore, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused all the materials available on record.

7. The petitioner is an engineering student. Though this Court had earlier dismissed the petition filed under Section 482 of the BNSS, 2023, till date, the respondent – police has not arrested the petitioner, which indicates that custodial interrogation of the petitioner may not be required for the Investigating Agency. Considering the same, and also taking into account the fact that the petitioner is an engineering student and that there are no previous cases against the petitioner, and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant pre-arrest bail to the



petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the **learned Judicial Magistrate, Gudiyatham, Vellore District** within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties (Out of the two sureties one should be either Mother or Father of the petitioner) each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the **learned Judicial Magistrate, Gudiyatham, Vellore District**.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The **learned Judicial Magistrate, Gudiyatham, Vellore District** shall obtain a copy of any one of their identity proofs to ensure their identity.

(iii) The petitioner shall appear and sign before the **Judicial Magistrate, Gudiyatham, Vellore District** daily at 5.30 p.m. until further orders.



(iv) The petitioner shall make himself available for interrogation by a police officer as and when required.

(v) 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.

(vi) The petitioner shall also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

(vii) The petitioner shall not leave India without the previous permission of the Court.

(viii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Gudiyatham, Vellore District.

(ix) On breach of any of the aforementioned conditions, the Judicial Magistrate, Gudiyatham, Vellore District. or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283]***.



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8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

20.05.2026

Index : Yes/No
Internet : Yes/No
Neutral citation : Yes/No
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Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.

2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded on the official website of this Court, will be watermarked and will also have a QR code.

To

1. The learned Judicial Magistrate,
Gudiyatham, Vellore District.
2. The Inspector of Police,
Gudiyatham Taluk Police Station,
Vellore District.
3. The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

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