



CRL OP(MD). No.406 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Pandi

... Petitioner/Accused

Vs

The State of Tamil Nadu,
Rep By,
The Sub-Inspector of Police,
PEW Madurai City,
Madurai.
Crime No.246 of 2025.

... Respondent/Complainant

For Petitioner : M/s.J.Pon Eswara Moorthy,

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Cr.No.246 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 petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 8(c), r/w. 20(b)(ii)(B), 29(1) of NDPS Act, 1985, in Crime No.246 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the other accused were found to be in illegal possession of 1.500 kilograms of ganja. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that four previous cases are pending against the petitioner. Therefore, he opposed for grant of anticipatory bail to the petitioner.



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5. Taking into consideration of the facts and circumstances of the case and that the present case does not involve commercial quantity, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.V, Madurai, on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner 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;



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(b) the petitioner shall report before the concerned Judicial Magistrate Court daily at 10.30 a.m., and before the respondent police at 05.30 p.m until further orders. No relaxation shall be considered for the next two months;

(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 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;

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

(S S Y J)
21.01.2026

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To

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1. The Judicial Magistrate No.V, Madurai.
2. The Sub-Inspector of Police,
PEW Madurai City,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J

jbr

ORDER
IN
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