



CRL OP(MD). No.5172 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/03/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Mugesh,
S/o. Marimuthu

... Petitioner/Accused

Vs

State of Tamilnadu Rep by
Inspector of Police,
PEW-Thoothukudi Police Station,
Thoothukkudi.
(Crime No.306/2024).

... Respondent/Complainant

For Petitioner : Mr.S.Vishnuvardhan,
For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.306 of 2024 on the file of the
Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 8(c), 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substance Act, 1985, in Crime No. 306 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 01.06.2024, the respondent police, acting on a secret tip-off, went on patrol. During the patrol, near BMC School, Thoothukudi, they noticed five suspicious persons standing there. On seeing the police, the individuals attempted to flee. However, the respondent police apprehended A4 and A5 and upon searching them, recovered 4 kg of ganja. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is innocent and he was falsely implicated in this case and he is no way connected in the above said incident. He has not committed any offence as alleged by the prosecution and the petitioner was arrayed as accused only on the confession statement of the co-accused. Hence, he prays to grant Anticipatory Bail to the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent police fairly submits that the petitioner along with the other accused persons was found in illegal possession of 4 kg of ganja and also submitted that two previous cases are pending against the petitioner. Hence, he opposes to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences charged against the petitioner and also considering the facts that property has been recovered from the petitioner and the petitioner was arrayed as accused only on the confession statement of the co-accused and also the fact that co-accused was granted anticipatory bail by this Court, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties



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each for a like sum to the satisfaction of the learned Judicial Principal Special District Judge (For EC & NDPS Cases), Madurai, and on further conditions that:

[b] the petitioner shall report before concerned Jurisdictional NDPS Court, Madurai, daily at 10.30 a.m. for a period of 30 days and thereafter as and when required for the interrogation.

[c] the petitioner shall not commit any offences of similar nature.

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

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

[f] On breach of any of the aforesaid conditions, the learned Judicial 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.



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State of Kerala [(2005)AIR SCW 5560].

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

(P D B J)
26.03.2026

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TO

- 1.The Principal Special District Judge (For EC & NDPS Cases),
Madeira.
- 2.Inspector of Police,
PEW-Thoothukudi Police Station,
Thoothukkudi.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL,J

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ORDER
IN
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