



CRL OP(MD). No.23890 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.01.2026

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

CRL OP(MD)No.23890 of 2025

Vaithilingam

... Petitioner/ Accused

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Pappakudi Police Station,
Tirunelveli District.
(Crime No.242 of 2025)

... Respondent

For Petitioner : Mr.P.Praveenkumar

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act
2023.

PRAYER :-For Anticipatory Bail in Crime No.242 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 apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c) and 20(b)(ii)(B) of NDPS Act, in Crime No.242 of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the 1st accused had illegally transported 4.700 kgs of Ganja. Based on the confession of A1, the petitioner was implicated in this case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has filed an affidavit of undertaking before this Court that he will not sell Ganja in future. He further submitted that based on the confession of co-accused, the petitioner was falsely implicated in this case. He further submitted that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.



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4. The learned Government Advocate (Crl.Side) submitted that there are 9 previous cases pending against the petitioner and the property has been recovered. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the property has been recovered and the quantity of the contraband is not commercial and also considering the affidavit of undertaking filed by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, 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 learned Judicial Magistrate, Alangulam, within a period of fifteen days from the date on which, the order copy was made ready and on further conditions that:



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[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 Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.00 a.m., until further orders.

[c]the petitioner shall not tamper with the 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 is 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].



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[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of BNS.

(S S Y J)
06.01.2026

msrm

To

- 1.The learned Judicial Magistrate,
Alangulam.
- 2.The Inspector of Police,
Pappakudi Police Station,
Tirunelveli District..
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J

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**ORDER
IN
CRL OP(MD). No.23890 of 2025**

06.01.2026