

(2025) 10 MAD CK 1316

In the Madras High Court, Madurai Bench

Case No : Criminal Original Petition (MD) No. 16332 Of 2025

Vikram

APPELLANT

Vs

State Of Tamilnadu

RESPONDENT

Date of Decision : 29-10-2025

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 61(2), 132, 269, 296(b), 351(3)Narcotic Drugs And Psychotropic Substances Act, 1985 — Section 20(b)(ii)(B)Arms Act, 1959 — Section 25(1A)

Citation : (2025) 10 MAD CK 1316

Hon'ble Judges : S.Srimathy, J

Bench : Single Bench

Advocate : K.M.Karunakaran, E.Antony Sahaya Prabahar

Judgement

S.Srimathy, J

1. The petitioner, who was arrested and remanded to judicial custody on 12.09.2025 for the offences punishable under Sections 296(b), 132, 351(3), 61(2) of BNS, 2023 and 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substance Act, 1985 and Section 25(1A) of Arms Act, 1959, in Crime No.574 of 2025 on the file of the respondent police. seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 2.5 kgs of Ganja. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court and he is in judicial custody from 12.09.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that there are 14 previous cases pending as against the petitioner and the investigation has been completed. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the fact that the quantity of the contraband is not commercial and the investigation has been completed and inspite of the petitioner is having 14 previous cases, considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing 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 The Additional District Judge/ Presiding Officer, Special Court under Essential Commodities Act, Thanjavur, and on further conditions that :-

[a] 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;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m.,until further orders;

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

[d] the petitioner shall not tamper with evidence or witness 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 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];

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