



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/06/2020

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

CRL OP(MD) . No.6257 of 2020

P. Vel Murugan

... Petitioner/A-2

Vs

The Inspector of Police,
Mudugulathur Police Station,
Ramnad District
(Crime No.93 of 2020).

... Respondent/Complainant

For Petitioner : M/s. M.Makeshkumaravel,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

for Anticipatory Bail in Crime No.93 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Sections 8(c) and 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.93 of 2020 on the file of the respondent police, seeks anticipatory bail.

3.The case of the prosecution is that on 30.03.2020 at about 12.30 hours, the petitioner along with the other accused came with an Yamaha Vehicle carrying 1.5 kg of Ganja and when they were interrogated by the respondent police, the first accused stated that he had purchased it from Theni District and went to sell during the Corona lock Down period. Further, the first accused stated that he carried the petitioner for just help him.

4. The learned counsel for the petitioner submitted that the petitioner did not commit any offence as alleged by the prosecution and hence, prays for grant of bail to the petitioner.



5. The learned Government Advocate (criminal side) appearing for the State submitted that no previous case is pending against this petitioner and the investigation is under progress.

6. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

(i) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judge, E.C and N.D.P.S Court, Pudukkottai, and on his 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 learned Judge concerned;

(ii) The petitioner shall appear before the respondent police daily at 05.00 p.m for interrogation.

(iii) 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]**; and;

(iv) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

sd/-
15.06.2020

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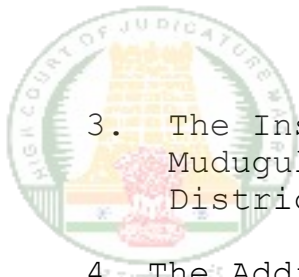
/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

skn

TO

1. The Judge, E.C and N.D.P.S Court, Pudukkottai

2. -Do- Through The Chief Judicial Magistrate,
Pudukkottai



3. The Inspector of Police,
Mudugulathur Police Station, Ramnad
District (Crime No.93 of 2020).

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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ORDER
IN
CRL OP(MD) No.6257 of 2020
Date : 15/06/2020

VB SKN SAR 2 (16.06.2020) 3P 5C