



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 31/03/2021

WEB COPY

PRESENT

**The Hon`ble Mr.Justice M.NIRMAL KUMAR**

CRL OP(MD) . No.4211 of 2021

Deepanraj ... Petitioner/Accused No.2

Vs

The State rep.by  
The Inspector of Police,  
Ganesh Nagar Police Station,  
Pudukkottai.  
Crime No.97 of 2021.

... Respondent/Complainant

For Petitioner : Mr.A.Arul Jenifer,  
Advocate.

For Respondent : Mr.R.Srinivasan,  
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.97 of 2021 on the file of the Respondent Police.

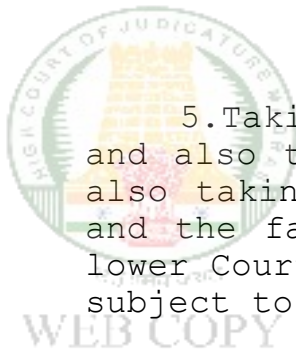
**ORDER :** The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 03.02.2021 for the offences punishable under Section 328 of IPC, in Crime No.97 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused were found in illegal possession of Becalm Tablets. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. He would also submit that for statistical purpose this case has been foisted against him.

4.The learned Government Advocate(Crl.Side) would submit the petitioner along with other accused were found in illegal possession of Becalm Tablets and the same was recovered.



5. Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration and also taking note of the fact that the property has been recovered and the fact that co-accused has already been granted bail by the lower Court, 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 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 Judicial Magistrate No.I, Pudukkottai.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v) 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-  
31/03/2021

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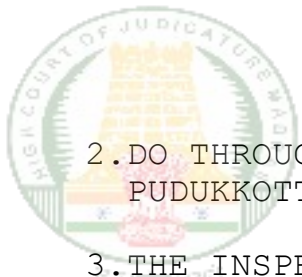
/ /2021  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

**Note :** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE No.I, PUDUKKOTTAI.

<https://hcservices.ecourts.gov.in/hcservices/>



2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
PUDUKKOTTAI DISTRICT.

3.THE INSPECTOR OF POLICE,  
GANESH NAGAR POLICE STATION,  
PUDUKKOTTAI.

4.THE OFFICER INCHARGE,  
DISTRICT PRISON, PUDUKKOTTAI.

5.THE ADDITIONAL PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.4211 of 2021  
Date :31/03/2021

VSG  
TK/PN/SAR.3/31.03.2021/3P/6C