



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/06/2021

WEB COPY

PRESENT:

The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.7645 of 2021
(Through Video Conference)

Ponnangan

... Petitioner/4th Accused

Vs

State rep. by
The Inspector of Police,
Varusanadu Police Station,
Theni District.
(Crime No.56 of 2021)

... Respondent/Complainant

For Petitioner : Mr.S.Selvakumar,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabakar,
Additional Public Prosecutor

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

PRAYER:

For Anticipatory Bail in Crime No. 56 of 2021 in the file of the respondent police.

ORDER: The Court made the following order :

The petitioner/ 4th accused, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 8(c) r/w 20 (b) (ii) (B) of NDPS Act in Crime No.56 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that on 22.04.2021, on prior information, the police party was engaged in the prevention of offences relating of Narcotic Drugs and Psychotropic Substances. At about 13:00 hrs, near Singarajapuram junction, four persons came there, where one person was having a white colour sack. On seeing the police officials, the other two persons escaped from there and two persons, namely Karthikeyan and Thangapandian were secured. The police seized the plastic bag and found 2.100 kgs of Kanja. Therefore, this case came to be registered.



3. The learned counsel for the petitioner submitted that the petitioner is innocent and is falsely implicated in this case.

4. The Learned Additional Public Prosecutor opposed this petition on the ground that investigation is not yet completed.

5. Considering the fact that Kanja involved in this case is 2.100 kg, this court is inclined to grant Anticipatory Bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Principal District and Special Additional District Judge for EC and NDPS Act cases, Madurai 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[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 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 tamper with 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 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
24/06/2021

/ TRUE COPY /

/ /2021



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 PRINCIPAL DISTRICT AND
SPECIAL ADDITIONAL DISTRICT JUDGE FOR EC AND NDPS ACT CASES,
MADURAI.
 2. THE INSPECTOR OF POLICE,
VARUSANADU POLICE STATION,
THENI DISTRICT.
 3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1 CC to Mr.J.JEYA ARON RAJA, Advocate (SR-4188[I] dated 28/06/2021)

ORDER
IN
CRL OP(MD) No.7645 of 2021
Date :24/06/2021

STS
TE/MNR/SAR-III : 30/06/2021 : 3P/5C