



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

Date : 23/07/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice SATHI KUMAR SUKUMARA KURUP

CRL OP(MD). No.9772 of 2021

(*)Antony Akash

... Petitioner/Accused No.1

Vs

The State represented by
The Inspector of Police,
Thanjavur Tamil University Police Station,
Thanjavur District.
Crime No.553 of 2021.

... Respondent/Complainant

For Petitioner : Mr.K.M.Karunakaran,
Advocate.

For Respondent : Mr.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.553 of 2021 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 Additional Public Prosecutor appearing for the respondent.

2.The petitioner is the 1st accused in this case. He was
arrested and remanded to Judicial Custody on 20.06.2021 for the
offences punishable under section 8(C) r/w 20 (b)(ii) (B) of NDPS
Act, 1985 in Crime No.553 of 2021 on the file of the respondent
police. He seeks bail.

3.The case of the prosecution is that on 20.06.2021, the
petitioner was arrested by the respondent police alleging that he
was found in possession of 1.100 kgs Ganja. Hence, the complaint.

4.The learned counsel for the petitioner submits that the
petitioner is innocent and he has not committed any offence as
alleged by the prosecution.



5.The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner is not having any previous antecedents.

6.Taking note of the facts and circumstances of this case that the petitioner has no previous antecedents, I am inclined to enlarge the petitioner on bail with certain conditions.

7.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 Additional District and Sessions Judge, Presiding Officer and Special Court for EC Act Cases, 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 10.00 am., 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 229A IPC.

sd/-

23/07/2021

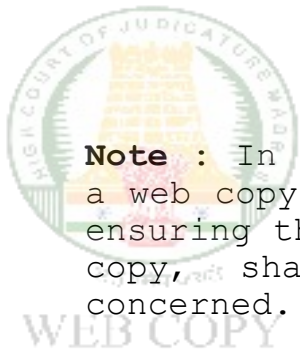
(*)Amended as per order of this court dated 29/07/2021 in CRL MP(MD) No.5241/21 in CRL OP(MD)No.9772/2021.

Further two weeks time is granted to the petitioner to comply with the conditions imposed by this Court from the date of receipt of a copy of this order as last chance

/ TRUE COPY /

/ /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

TO BE SUBSTITUED WITH THE ORDER DATED 23/07/2021 ALREADY DESPATCHED

1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
PRESIDING OFFICER AND SPECIAL COURT FOR EC ACT CASES,
THANJAVUR.

2 THE INSPECTOR OF POLICE,
THANJAVUR TAMIL UNIVERSITY POLICE STATION,
THANJAVUR DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON,
TIRUCHIRAPPALLI.

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

ORDER

IN

CRL OP(MD) No.9772 of 2021

Date : 23/07/2021

MM

MS/VR/SAR-4/23.07.2021/3P.5C

SA/JM/SAR-4/11.08.2021/3P.5C