



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

Date : 23/07/2021

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PRESENT

**The Hon`ble Mr.Justice SATHI KUMAR SUKUMARA KURUP**

CRL OP(MD) . No.9800 of 2021

Muniraja ... Petitioner/Accused No.4

Vs

The State rep.by  
The Inspector of Police,  
Pattiveeranpatti Police Station,  
Dindigul District.  
Crime No. 52 of 2021.

... Respondent/Complainant

For Petitioner : Mr.J.Selvam, Advocate.

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

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

PRAYER :-

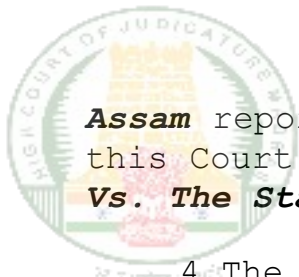
For Bail in Crime No. 52/2021 on the file of the respondent Police

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 4<sup>th</sup> accused in this case. He was arrested and remanded to Judicial Custody on 22.05.2021 for the offences punishable under section 8(C) r/w 20 (b)(ii) (B) and 25 of NDPS Act, 1985 in Crime No.52 of 2021 on the file of the respondent police. He seeks bail.

3.The learned counsel for the petitioner submits that based on the confession given by A1, the petitioner was arrested. He further submits that the co-accused were released on bail. In support of his contention, the learned counsel relied on the judgment of the Hon'ble Supreme Court in the case of **Rakesh Kumar Paul Vs. State of**



**Assam** reported in **(2017) 15 Supreme Court Cases 67** and the order of this Court dated 06.11.2020 in the case of **Subhash Bahadur @ Upender Vs. The State (NCT of Delhi)**.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner is having two previous cases.

5.Taking note of the facts and circumstances of this case that the co-accused were released on bail, I am inclined to enlarge the petitioner on bail with certain 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 Principal Special Judge for EC and NDPS Act Cases, Madurai 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

/ 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

- 1.THE PRINCIPAL SPECIAL JUDGE,  
EC AND NDPS ACT CASES, MADURAI.
- 2.THE OFFICER INCHARGE,  
DISTRICT JAIL  
DINDIGUL DISTRICT.
- 3.THE INSPECTOR OF POLICE  
PATTIVEERANPATTI POLICE STATION,  
DINDIGUL DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI DISTRICT.

ORDER  
IN  
CRL OP(MD) No.9800 of 2021  
Date :23/07/2021

SA/VR/SAR.2/23.07.2021/3P/5C