



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/10/2021

PRESENT

The Hon'ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.11031 of 2021

VIGNESH

... PETITIONER/3RD ACCUSED

VS

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
VEDASANDUR POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO. 1657 OF 2020).

... 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. 1657 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 is shown as accused No.3 in Crime No.1657 of 2020 registered on the file of the respondent for the offences under Sections 8(c) r/w. 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act 1985.

3. Originally, this petition was filed seeking anticipatory bail. The petitioner had surrendered on 05.09.2021 and remanded to custody. Since this development had taken place during the pendency of this criminal original petition, the anticipatory bail petition is converted into bail petition.



4. The petitioner has one previous case. However in the case on hand, there has been no recovery from the petitioner. 10 kgs. of ganja has been recovered only from accused Nos.1 and 2. Since it is not a commercial quantity and there is no recovery from the petitioner, this Court is inclined to grant bail to the petitioner.

WEB COPY

5. 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 learned Principal Special Judge 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 once in a week on every Saturday 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 Principal Special Judge/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 Principal Special Judge/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/-
05/10/2021

/ 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.



1. THE PRINCIPAL SPECIAL JUDGE,
SPECIAL COURT FOR EC AND NDPS ACT CASES,
MADURAI.
2. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
3. THE INSPECTOR OF POLICE,
VEDASANDUR POLICE STATION,
DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.11031 of 2021
Date :05/10/2021

pmu
USK/SKN/SAR-II/(06.10.2021) 3P-5C