



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

Date : 29/12/2021

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.21104 of 2021

Karthikeyan @ Arun Karthikeyan

...Petitioner/Accused No.6

Vs

The State rep.by
The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District.
(in Crime No.742 of 2021)

... Respondent/Complainant

For Petitioner : Mr.R.ALAGUMANI,
Advocate.

For Respondent : Mr.SS.MADHAVAN,
Government Advocate (Criminal)

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

PRAYER :- For Bail in Crime No.742 of 2021 on the file of the respondent police.

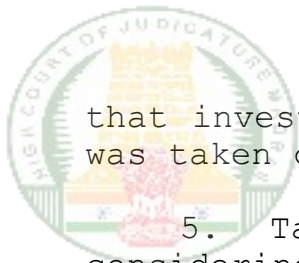
ORDER : The Court made the following order :-

The petitioner/accused No.6, who was arrested and remanded to judicial custody on 25.09.2021 for the offences punishable under Sections 8(c) and 20(b)(ii)(c) of Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985 in Crime No.742 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 24.09.2021 at 15.00 hours, on secret information the Inspector of Police and his team were on rounds near ECR, the petitioner and co-accused were found to be in possession of 23.00 kgs of ganja. The said contraband was seized by the respondent. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 25.09.2021, hence he seeks bail.

4.The learned Government Advocate (Criminal) appearing for the respondent police would submit that the police recovered the ganja from the car of the accused and that the petitioner is having one previous case different nature of offence. He would further submit



that investigation is completed and charge sheet was also filed and was taken on file in C.C.No.93 of 2021.

5. Taking into consideration all these facts and also considering the period of incarceration and also the fact that the investigation is completed and charge sheet was also filed and was taken on file in C.C.No.93 of 2021, this Court is inclined to grant bail to the petitioner.

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.2, Ramanathapuram and on further condition that

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 learned Additional District and Sessions Judge / Presiding Officer Special Court of EC Act, Pudukottai daily at 10.30 am., for a period of thirty days 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 / petitioner thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

29/12/2021

/ TRUE COPY /

29/12/2021

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.2, RAMANATHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

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



3 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
KENIKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

COPY TO:

THE ADDITIONAL DISTRICT AND SESSIONS JUDGE/
PRESIDING OFFICER SPECIAL COURT OF EC ACT,
PUDUKOTTAI.

+1. CC to M/S.ALAGUMANI.R, Advocate SR.No.9805

ORDER

IN

CRL OP(MD) No.21104 of 2021

Date :29/12/2021

SA/VR/SAR.4/29.12.2021/3P/8C