



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twentieth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8277 of 2022

1 AMBIKA

[PETITIONERS / ACCUSED]

2 NARAYANASAMY

3 MANGA

Vs

STATE BY

THE INSPECTOR OF POLICE
KELAMANGALAM POLICE STATION,
KRISHNAGIRI DISTRICT,
CRIME NO.84 OF 2022.

[RESPONDENT / COMPLAINANT]

For Petitioners : M/S.M.JAYACHANDRAN Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under Sections 8(C) read with 20(b)(ii), (B) of NDPS Act 1985 in Crime No.84 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. Based on the confession statement given by one Ravi from whom 2 kg of Ganja was recovered. The respondent Police has come to know that the said Ravi along with his family members and others are engaged in trafficking Ganja and had procured 100 kgs of Ganja from Andhra Pradesh and has distributed to various persons. Therefore, the Respondent Police has arrayed 36 accused in connection with seizure of 2 kgs of Ganja.

3. The learned Counsel for the petitioner seeks anticipatory bail on the ground that there is no recovery from these petitioner.



4. The Learned Government Advocate (Crl. Side) while circulating the confession statement of said Ravi would submit that these petitioners form part of single gang involved in selling ganja and further they used to procure Ganja from Andhra Pradesh in bulk and transported it in car and thereafter distributes the contraband among themselves and sold it in retail.

5. However, this Court finds that except the recovery of 2 kg of Ganja, there is no material to implicate these persons and they were arrayed as accused only on the confession statement of the arrested accused Ravi.

6. In view of the above facts, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Denkanikottai on condition that the petitioners shall execute separate bonds for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) each, 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 petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(c) the petitioners shall report before the Investigating Officer daily at 10.30. a.m., until further orders.

(d) the petitioners 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 petitioners in accordance with law as if the conditions has been imposed and the petitioners 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]; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-
20/04/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
DENKANIKOTTAI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
KELAMANGALAM POLICE STATION,
KRISHNAGIRI DISTRICT,

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.JAYACHANDRAN Advocate on payment of necessary charges SR.NO.5894

CRL OP.8277/2022

Date :20/04/2022

JPA 27/04/2022