



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Sixth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9169 of 2022

1 MARAKKA [PETITIONERS / ACCUSED]
2 MURUGAN
3 THIMMARAJ
4 BASAVASANKAR

Vs

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

For Petitioners : M/S.K.THIRUVENGADAM 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 at the hands of the respondent police for the alleged offences under Sections 8(c) and 20 (b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.84 of 2022, on the file of the respondent police, seek anticipatory bail.

2. According to the prosecution, on 29.03.2022 at about 8.15 hrs, the respondent police intercepted one Ravi riding Dio two wheeler, on examination they recovered 2 Kg of Ganja from him. Based on the information, 50 packets of Ganja each containing 2 Kg was transported from Narasipattinam, Andra Pradesh, in two cars by his brother and other family members and out of which he had transported 2 Kg packet of Ganja for selling, based on the said information 35 persons were arrayed as accused and this petitioner is one among them. The police has not made any further investigation or recovered any contraband other than 2 Kg recovered from the said Ravi.



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

4. 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 each of the petitioners shall execute separate bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) , with two sureties, each for a like sum to the satisfaction of the learned Magistrate, failing which the anticipatory bail shall stand canceled 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 report before the Investigating Officer as and when required for interrogation;

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

(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 have 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
26/04/2022

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.K.THIRUVENGADAM Advocate on payment of necessary
charges SR.NO.6286

CRL OP.9169/2022

Date :26/04/2022

JPA 28/04/2022