



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

Date : 07/04/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.6519 of 2022

P.Agasthiyar

... Petitioner/Accused No.2

Vs

The State represented by,
The Inspector of Police,
Ariyamangalam Police Station,
Trichy District.
(Crime No.170 of 2022).

... Respondent/Complainant

For Petitioner : Mr.P.Sivachandran,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.170 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A.2, who was arrested and remanded to judicial custody on 26.02.2022 for the offences punishable under Section 328 IPC r/w Section 18(c) of Drugs and Cosmetics Act and Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.170 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused had purchased the drug tablets and injections and sold the same to the school and college going students. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.



4.The learned Additional Public Prosecutor would submit that the petitioner is not having any previous cases.

5.Considering the nature of the charges levelled against the petitioner and also the facts that the petitioner is in judicial custody from 26.02.2022 and that the petitioner is not having any previous cases for similar offence, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.VI, Trichy, Trichy District.

(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 respondent police daily at 10.30 a.m., for a period of one month 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 thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

07/04/2022

/ TRUE COPY /

07/04/2022

Sub-Assistant Registrar (C.S-IV)
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



TO

1. THE JUDICIAL MAGISTRATE NO.VI,
TRICHY, TRICHY DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
ARIYAMANGALAM POLICE STATION,
TRICHY DISTRICT.
4. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.SIVACHANDRAN P Advocate SR.No.17213 (F), DATED :
07.04.2022.

ORDER
IN
CRL OP(MD) No.6519 of 2022
Date :07/04/2022

CSM
USK/VR/SAR-IV/07.04.2022/3P/7C