



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

Date : 06/05/2022

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

CRL OP(MD) . No.8701 of 2022

1. Thennavan
2. Ajithkumar

... Petitioners/Accused Nos.2 & 3

Vs

The State represented by
The Sub Inspector of Police,
Nilakottai Police Station,
Dindigul District.
Crime No. 107 of 2022.

... Respondent/Complainant

For Petitioners	: Mr.Selvakumar S, Advocate.
For Respondent	: Mr.A.Thiruvadi Kumar, Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 107 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Section 8(C) r/w 20(b)(ii)(B) and Section 25 of NDPS Act, in Crime No.107 of 2022, on the file of the respondent police, seek anticipatory bail.

2.Heard both sides.

3.When the matter is taken up for hearing, the learned Counsel for the petitioners seeks permission of this Court to withdraw this petition as against the first petitioner. He has also made an endorsement to that effect. Accordingly, this petition is dismissed as withdrawn as against the first petitioner/A2.

4.Based on the confession given by the co-accused, the second petitioner has been implicated as accused in this case. In this background, this Court is inclined to grant anticipatory bail to the second petitioner with certain conditions.



5. Accordingly, the second petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Principal Special Court for EC and NDPS Act Court, Madurai, on condition that the second petitioner shall execute 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 Magistrate concerned and on further conditions that:

[a] the second petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Judge may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the second 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.

[c] the second petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d] the second petitioner 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 second petitioner in accordance with law as if the conditions have been imposed and the second 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]**.

sd/-
06/05/2022

/ TRUE COPY /

/ /2022
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 PRINCIPAL SPECIAL JUDGE,
SPECIAL COURT FOR EC AND NDPS ACT COURT,
MADURAI.
2. THE SUB INSPECTOR OF POLICE,
NILAKOTTAI POLICE STATION,
DINDIGUL DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.8701 of 2022

Date :06/05/2022

mm/cmr

USK/PN/SAR-II/10.05.2022/3P/4C