



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

Date : 17/06/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.10778 of 2022

Navilarasan

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Mandala Manickam Police Station,
Ramanathapuram District.
(Crime No.185/2021)..

... Respondent/Complainant

For Petitioner : Mr.S.Veerapandi Selvaraj, Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Criminal Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.185 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c) r/w 20(b) (ii) (A) of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 50 of Central Motor Vehicles Rules, 1989 r/w 177 of Motor Vehicles Act, 1988, in Crime No.185 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 10 grams of Ganja in a match box. Hence, the present complaint.

3.The learned counsel for the petitioner would submit that the petitioner earlier filed an application in CrI.OP(MD)No.95 of 2022 seeking anticipatory bail and this Court vide order dated 22.02.2022 has granted anticipatory bail with certain conditions. He would submit that since there are some corrections, they have



moved an application and even thereafter, some corrections were there and hence, the petitioner is constrained to file the above petition.

4.The learned Government Advocate (Criminal Side) appearing for the State would submit that the petitioner is not having any previous case under NDPS Act.

5.Considering the facts and circumstances of the case and also the quantum of contraband involved in this case and considering the fact that the petitioner is not having any bad antecedents and also the fact that the petitioner has already been granted anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Kamuthi, on condition that the 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioner shall report before the respondent police daily at 10.30. am for a period of one month and thereafter, as and when required for interrogation;

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

(d)the 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 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]***; and;



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

sd/-
17/06/2022

/ TRUE COPY /

WEB COPY

22/06/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DAS

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,
KAMUTHI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE
MANDALA MANICKAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 Cc to M/s.S.VEERAPANDI SELVARAJ, Advocate (SR-5691[I] dated 17/06/2022)

ORDER
IN
CRL OP(MD) No.10778 of 2022
Date :17/06/2022

PKP/SVR/SAR-4/22.06.2022/3P/6C