



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

Date : 15/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.16124 of 2022

S.Arunachaleshwaran @ Manikam

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
Sankarankovil Town Police Station,
Tenkasi District.
Crime No.344 of 2022..

... Respondent/Complainant

For Petitioner : M/s.Karthick R.J,
Advocate

For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.344 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on 12.08.2022 for the alleged offence under Sections 4(1-A) of Tamil Nadu Prohibition Act (Transport) and Section 8(c) r/w 20(b)(ii)(A) of NDPS Act, in Crime No.344 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 12.08.2022, the accused was found in illegal possession of 5 grams of ganja. Hence, the complaint.

3.On the side of the petitioner, it is stated that the petitioner is innocent and only for statistical purpose, he has been falsely impleaded in this case. The petitioner is in custody from the date of arrest, ie., 12.08.2022. Hence, prays to release him on bail.



4. On the side of respondent, it is stated that the petitioner is having 10 previous cases for the offences under Tamil Nadu Prohibition Act and hence, prays to dismiss the petition.

5. Though the petitioner is having previous cases, the allegations are not severe in nature. Considering the nature of the offence, lesser quantity of contraband and also considering the period of incarceration, this Court is inclined to enlarge the petitioner on bail.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Sankarankovil.

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 until further orders;

iii) the petitioner shall not tamper with evidence or witness;

iv) the petitioner shall appear before the concerned Court on all hearing dates and appear before the respondent Police, as and when required;

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 absconds, a fresh FIR can be registered under Section 229A IPC;

sd/-
15/09/2022

/ TRUE COPY /

/09/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE,
SANKARANKOVIL.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
4. THE INSPECTOR OF POLICE,
SANKARANKOVIL TOWN POLICE STATION,
TENKASI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.16124 of 2022
Date :15/09/2022

pnm
USK/VRS/SAR-III/15.09.2022/3P/6C