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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.16634 of 2022

Vijay

... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
Checkanurani Police Station,
Madurai District.
(Crime No.236 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Ramachandra Pradeep S, Advocate.

For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.236 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 8(c) r/w 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, in Crime No.236 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in possession of 2 Kg of Ganja. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that this is the second anticipatory



bail application. Earlier application filed by the petitioner was dismissed by this Court on the ground that the petitioner is involved in similar case on previous occasion. Subsequently, it was found that the father's name of the accused in the previous case differs. On that ground, the petitioner was directed to appear before the respondent police and produce Aadhar Card. As per the order of this Court, the petitioner has appeared before the respondent police and produced his Aadhar Card.

4. The learned Additional Public Prosecutor would submit that the petitioner has appeared before the respondent police and also produced his Aadhar Card also. It is seen that due to some sort of identification issue, the above said information has been furnished to the Court on earlier occasion.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is not involved in any previous case in similar nature, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Special Judge (for EC & NDPS Act Cases), Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
29/09/2022

/ TRUE COPY /

/10/2022

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

DSS

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.



1. THE SPECIAL JUDGE (FOR EC & NDPS ACT CASES), MADURAI.

2. THE INSPECTOR OF POLICE,
CHECKANURANI POLICE STATION,
MADURAI DISTRICT.

3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S. RAMACHANDRA PRADEEP S Advocate SR.No.10822

ORDER
IN
CRL OP(MD) No.16634 of 2022
Date :29/09/2022

SP/GB/SAR II/17/10/2022/3P/5C