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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD).No.17940 of 2022

1.Pavithran
2.Senguttuvan

... Petitioners/Accused
Nos.2 & 4

Vs

State rep.by
The Sub Inspector of Police,
Sinthupatti Police Station,
Madurai District.
(Crime No.160/2022)

... Respondent/Complainant

For Petitioners : Mr.S.Muniyandi, Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :-

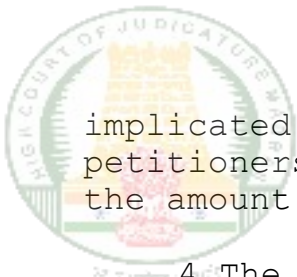
For Anticipatory Bail in Crime No.160 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.2 & 4, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 8(c) r/w 20(b)(ii)(B), 25 and 29(1) of NDPS Act, in Crime No.160 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the petitioners were found in illegal possession of 4 Kgs of Ganja. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely



implicated in this case. However, he would further submit that the petitioners, without prejudice to his rights, is ready to deposit the amount that may be imposed by this Court.

4. The learned Additional Public Prosecutor (Crl.side) appearing for the respondent police would submit that no previous case is pending against the petitioners.

5. Considering the above and also the nature of the charges levelled against the petitioners and also considering the antecedents of the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional District for Principal Special Court for EC & NDPs Act Cases, Madurai, on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioners shall pay a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each to the credit of District Siddha Medical Officer CCRIPKM (Account No:-10767823177, IFSC Code:- SBIN0000898, State Bank of India, Periyakulam Branch), without prejudice to their rights and contentions before the trial Court. The petitioners shall execute the sureties on showing the receipt of the said amount.

(c) the petitioners shall report before the respondent police **once in a week i.e., on every Sunday at 10.30 a.m.**, for a period of Eight weeks, and thereafter, as and when required for interrogation.

(d) the petitioners shall not tamper with the evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;



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

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Sd/-
06/10/2022

/10/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vsd

TO

1. THE ADDITIONAL DISTRICT FOR
PRINCIPAL SPECIAL JUDGE FOR
EC & NDPS ACT CASES, MADURAI.
2. THE SUB INSPECTOR OF POLICE,
SINTHUPATTI POLICE STATION,
MADURAI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE OFFICER INCHARGE, DISTRICT SIDDHA
MEDICAL OFFICER, CCRIKPM, PERIYAKULAM.

+1. CC to M/S. MUNIYANDI.S Advocate SR.No.11138

ORDER
IN
CRL OP(MD) No.17940 of 2022
Date :06/10/2022

SP/TR/SAR /11/10/2022/3P/6C