



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/10/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.18534 of 2022

Selvam

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Sendurai Police Station,
Ariyalur District.
(Crime No.168 of 2022).

... Respondent/Complainant

For Petitioner : Mr.KARUPPASAMY.M., 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.168 of 2022 on the file of the Respondent Police

ORDER : The Court made the following order :-

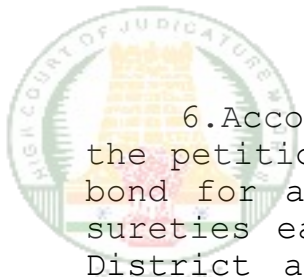
The petitioner/Accused herein, who was arrested on 13.09.2022 for the alleged offence under Section 8(c) r/w 20(b)(ii)(B) of NDPS Act, in Crime No.168 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 13.09.2022, the accused was found in illegal possession of 2.200kgs of ganja. Hence, the complaint.

3.On the side of the petitioner, it is stated that the petitioner is innocent and he has been falsely implicated in this case. The petitioner is noway connected with the offence. The petitioner is in custody from the date of arrest, ie., 13.09.2022. Hence, prays to release him on bail.

4.On the side of respondent, it is stated that the petitioner is not having any previous case. He has possessed 2.200kgs of ganja and hence, prayed to dismiss the petition.

5.Considering the nature of the offence, In between 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 Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Additional District and Sessions Judge, Special Court for E.C and NDPS Act Cases, Pudukottai.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Judge/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 Judge/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 Judge/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/-

18/10/2022

/ TRUE COPY /

18/10/2022

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

TO

1 THE ADDITIONAL DISTRICT & SESSIONS JUDGE / PRESIDING OFFICER,
SPECIAL COURT FOR EC AND NDPS ACT CASES,
PUDUKKOTTAI.

2 THE OFFICER INCHARGE, SUB JAIL, ARIYALUR.

3 THE INSPECTOR OF POLICE,
SENDURAI POLICE STATION, ARIYALUR DISTRICT.

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

+1. CC to M/S.KARUPPASAMY M Advocate SR.No.11544

ORDER IN

CRL OP(MD) No.18534 of 2022
Date :18/10/2022

PNM

<https://www.mhcs.gov.in/juris> /18.10.2022/2P/6C