



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

Date : 01/12/2022

PRESENT

WEB COPY

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

CRL OP(MD). No.21260 of 2022

Ulaganathan @ Rogan Remijens

... Petitioner/Accused No.4

Vs

The State Rep. By,
The Inspector of Police,
Thillai Nagar Police Station,
Tiruchirappalli,
Tiruchirappalli District.
Crime No.683 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Kathiravan K.S.,
Advocate.

For Respondent : Mr.T. Senthil Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

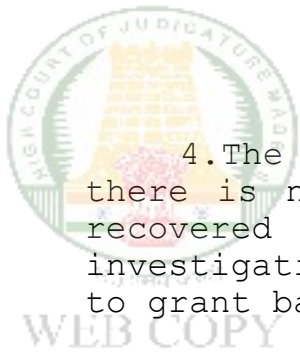
For Bail in Crime No.683 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 30.09.2022 for the offences punishable under Sections 270, 328 IPC and Section 8(c) r/w. 20(b)(ii)(B), 21(c), 27 (a) of NDPS Act, 1985 and Section 51(B) of Disaster Management Act, 2005 in Crime No.683 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that during the routine inspection, the petitioner herein and other accused have found in possession of 400 gms of Ganja and drug tablets and the same have been recovered. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 30.09.2022 and hence, he may be granted bail.



4.The learned Government Advocate (Crl. Side) would submit that there is no previous case against the petitioner and the property recovered is small quantity. He would further submit that the investigation of the case is pending and hence, he strongly opposed to grant bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is not having any previous case and that the property recovered is small quantity and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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 Principal District and Sessions Judge, Trichy and on further condition that;

(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 appear before 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 not abscond during trial.

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/-

01/12/2022

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01/12/2022

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



TO

1. THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
TRICHY.
2. THE SUPERINTENDENT,
CENTRAL PRISION,
TIRUCHIRAPPALLI.
3. THE INSPECTOR OF POLICE,
THILLAI NAGAR POLICE STATION,
TIRUCHIRAPPALLI,
TIRUCHIRAPPALLI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.21260 of 2022
Date :01/12/2022

trp
USK/SSS/SAR-III/01.12.2022/3P/5C