



WEB COPY

CRL OP(MD). N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 12.12.2022
PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) . No.21795 of 2022

R.Manikandan

... Petitioner/Accused No.3

Vs

The State of Tamil Nadu
represented by
The Inspector of Police,
Silaiman Police Station,
Madurai District.
(Crime No.500 of 2022)

... Respondent/Complainant

For Petitioner : Mr.K.Dinesh,
Advocate.

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

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

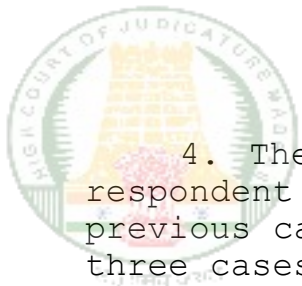
PRAYER :- For Anticipatory Bail in Crime No.500 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A.3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c) and 20(b)(ii)(A) of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.500 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused found in possession of 550 grams of ganja. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent. He would further submit that the respondent police has directed the petitioner to appear before them and since the petitioner did not appear before the respondent police, he has been implicated as an accused only based on the confession recorded from the other accused. He would further submit that the petitioner is not having any previous cases under the NDPS Act.



4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner is having five previous cases, in which, two cases registered under IPC offence and three cases registered for the offence under Section 75 of TNCP Act.

WEB COPY

5. Heard. Perused the materials available on record.

6. Taking into consideration the facts and circumstances and also the age of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.2, Madurai, on condition that the petitioner shall execute bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties (in which one should be either the father or mother) each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. and 05.30 p.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

12/12/2022

/ TRUE COPY /

/12/2022

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



1 THE JUDICIAL MAGISTRATE NO.2,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
SILAIMAN POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S. DINESH.K Advocate SR.No.14733

ORDER

IN

CRL OP(MD) No.21795 of 2022

Date :12/12/2022

SA/SSS/SAR.2/23.12.2022/3P/6C