



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

Date : 21/12/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.22657 of 2022

Mohamed Asik

... Petitioner/Accused No.1

Vs

The State Rep. by,
The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.
(Crime No.408/2022).

... Respondent/Complainant

For Petitioner : M/s. Appaji.C.K.M,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.408/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1 herein, who was arrested on 25.11.2022 for the alleged offence under Sections 20(b)(ii)(A) and 25 of NDPS Act, 1985 and Section 77 of juvenile Justice (Care and Protection of Children) Act 2015 in Crime No.408 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 36 grams of Ganja with an intention to sell the same to the school and college students. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he seeks for bail.



4.The learned Additional Public Prosecutor submitted the contraband involved in this case is 36 grams of Ganja and during the course of investigation, the said Ganja has been found in possession of the petitioner for consumption. Hence, he strongly opposed to grant bail to the petitioner.

5.Considering the above facts and circumstances of the case and also considering the period of incarceration and no bad antecedent is reported against the petitioner, this Court is inclined to grant bail to the petitioner with stringent conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 Judicial Magistrate No.V, Tirunelveli, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
21/12/2022

/ TRUE COPY /

/12/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.V, TIRUNELVELI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
4. THE INSPECTOR OF POLICE,
MELAPALAYAM POLICE STATION,
TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.22657 of 2022
Date :21/12/2022

sjj
USK/SSS/SAR-IV/21.12.2022/2P/6C

<https://www.mhc.tn.gov.in/judis>