



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

Date : 23/12/2022

PRESENT

WEB COPY

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

CRL OP(MD) . No.23008 of 2022

Ramnath

... Petitioner/Accused No.1

Vs

The State Rep. by,
The Inspector of Police,
Thillai Nagar Police Station,
Trichy City.
Cr No.683/2022.

... Respondent/Complainant

For Petitioner : M/s.Vinayak.S,
Advocate.

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

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

PRAYER :-

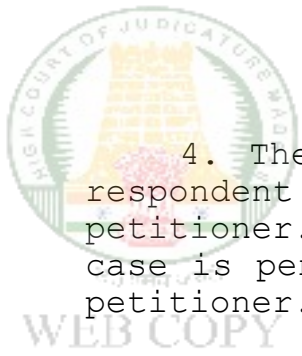
For Bail in Cr No.683/2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner who was arrested and remanded to judicial custody on 30.09.2022 for the offence punishable under Sections 270, 328 IPC and 8(c) r/w. 20(b)(ii)(B), 21(a), 27(a) of NDPS Act, 1985 @ 270 and 328 IPC and 8(c) r/w 20(b)(ii)(A), 21(C) and 27(a) of NDPS Act, 1985 r/w 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 appearing for the petitioner would submit that the petitioner is innocent and his name has been falsely implicated in this case. He further submitted that the co-accused was already released on bail by this Court in CrI.O.P(MD)No.21260 of 2022 and the petitioner is in judicial custody from 30.09.2022 and seeks bail.



4. The learned Additional Public Prosecutor appearing for the respondent would submit that there is no previous case against the petitioner. He would further submit that the investigating of the case is pending and hence, he strongly opposed to grant bail to the petitioner.

5. Taking into consideration of the facts and submissions made by the learned counsels and that the co-accused was released on bail and that the petitioner is in judicial custody from 30.09.2022, this Court is inclined to grant bail to the petitioner subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 learned Additional District and Sessions Judge / Presiding Officer, Special Court for E.C and NDPS Act Cases, Pudukkottai, and on further conditions that:

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner shall appear before the respondent police daily at 10.30 am until further orders;

(d) the petitioner shall not commit any offences of similar nature;

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

(f) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned Judicial 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];

(h) if the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
23/12/2022

/ TRUE COPY /

23/12/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

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

2. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

3. THE INSPECTOR OF POLICE,
THILLAI NAGAR POLICE STATION,
TRICHY CITY.

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

+1 CC to M/s.S.VINAYAK, Advocate (SR-15468[I] dated 23/12/2022)

ORDER

IN

CRL OP(MD) No.23008 of 2022

Date :23/12/2022

USK/SSS/SAR- /23.12.2022/3P/6C