



WEB COPY

CRL OP(MD).



23

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

Date : 03/04/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.5280 of 2023

Uthayakumar ... Petitioner/Accused No.18
Vs

The State rep.by,
The Inspector of Police,
Dhadikompu Police Station,
Dindigul District.
Crime No.224 of 2022..

... Respondent/Complainant

For Petitioner : M/s.Selvakumar S,
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. 224 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner /A18 who was arrested and remanded to judicial custody on 07.08.2022 for the offence under section 8(c) r/w 20(b) (ii) (c), 25 of NDPS Act in Crime No.224 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 34kgs of ganja.

3. Heard both sides and perused the materials available on record including the First Information Report.



4. Taking into consideration of the facts and submissions by the learned counsels and also the fact that similarly placed co-accused were granted bail by this Court and also the period of incarceration 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 blood related sureties each for a like sum to the satisfaction of the learned learned Principal Special Court EC & NDPS Act Cases, Madurai and on further conditions that:

[b] 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.

[c] the petitioner shall report before the respondent police daily at 10.30 A.M. and 5.30P.M., 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
03/04/2023

/ TRUE COPY /

03/04/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV



TO

1. THE JUDGE, PRINCIPAL SPECIAL COURT EC & NDPS ACT CASES, MADURAI.

2. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI DISTRICT.

3. THE INSPECTOR OF POLICE,
DHADIKOMPU POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.J.JEYAARONRAJA, Advocate (SR-5367[I] dated
03/04/2023)

ORDER

IN

CRL OP(MD) No.5280 of 2023

Date :03/04/2023

RK/SSS/SAR-(03/04/2023) 3P/6C