



(Crime

3).



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/04/2023

WEB COPY

PRESENT

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

CRL OP(MD) . 6953 of 2023

Poonkodi

... Petitioner/Sole Accused

Vs

State rep., by
The Sub Inspector of Police,
Dindigul Town West Police Station,
Dindigul.
(Crime No.84 of 2023).

... Respondent/Complainant

For Petitioner : Mr.J.David Ganesan, 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.84 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 19.03.2023 for the offences punishable under Section 8(c) and 20(b)(ii)(B) of NDPS Act, 1985 in Crime No.84 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on the basis of the secret information , the respondent police along with police officials went in front of house of the petitioner situated at Nandavanam Road, West Govindapuram, Dindigul at about 09.00am., on 19.03.2023. At that time, the petitioner tried to escape from the scene of occurrence, but the respondent police caught the petitioner and conducted search and it was found that totally 1.100kg of Ganja worth about Rs.16,500/- in the possession of the petitioner. Thereafter, the same was seized from the petitioner. Hence, the case.

3.Heard. Perused the materials available on record including
<https://www.mhc.gov.in/todis> Information Report.



(Crime)



3).

4.It is seen that the petitioner was in possession of contraband weighing 1.100kg of Ganja. It is small quantity. Considering the facts and circumstances of the case and also the period of incarceration, this court is inclined to grant bail to the petitioner.

WEB COPY

5.Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned Principal Special Court for trial of NDPS Act Cases, Madurai and on further conditions that :-

[a] 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 deposit a sum of Rs.15,000/- to the credit of Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram and shall produce the receipt before the concerned Magistrate at the time of executing the bond.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of four weeks and thereafter, as and when required for interrogation.

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

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

[f] 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].

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

sd/-

17/04/2023

/ TRUE COPY /

17/04/2023

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

Rmk

TO

1 THE PRINCIPAL SPECIAL COURT FOR TRIAL OF NDPS ACT CASES, MADURAI.

2 THE SUB INSPECTOR OF POLICE, DINDIGUL TOWN WEST POLICE STATION,
DINDIGUL.



(Crime



3).

3 THE OFFICER INCHARGE, MAHALIR PRISON, NILAKKOTTAI,
DINDIGUL DISTRICT.

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

WEB COPY
COPY TO

THE DIRECTOR,
ARIGNAR ANNA MEMORIAL CANCER HOSPITAL AND RESEARCH INSTITUTE,
KANCHEEPURAM.

+1 CC to M/s.J.DAVID GANESAN, Advocate (SR-5929[I] dated 17/04/2023)

ORDER

IN

CRL OP(MD) No.6953 of 2023

Date :17/04/2023

RS/VR/SAR-(17.04.2023) 3P 7C