



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/06/2023

WEB COPY

PRESENT

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

CRL OP(MD) . No.9396 of 2023

Surya, ... Petitioner/Sole Accused

Vs

The State Rep.by
The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
(Crime No.186 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Karunakaran.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.186 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 22.04.2023 for the offence punishable under Sections 8(c) r/w 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.186 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 1.200 grams of Ganja. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report.

4.Even according to the case of the prosecution, the petitioner was found in possession of 1.200 grams of Ganja, which is an intermediate quantity.



5. Taking into consideration of the facts and submissions made by the learned counsels and also taking into consideration the period of incarceration undergone by the petitioner, 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 Judge, Presiding Officer, Special Court for under Essential Commodities Act, Thanjavur, 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 05.30 P.M., for a period of six weeks and thereafter, as and when required for interrogation.

[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/-

07/06/2023

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07/06/2023

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



TO

1. The Additional District Judge,
Presiding Officer,
Special Court for under Essential
Commodities Act, Thanjavur.
2. The Superintendent,
Central Prison, Tiruchirappalli.
3. The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1. CC to M/S.KARUNAKARAN.K.M Advocate SR.No.8200

ORDER

IN

CRL OP(MD) No.9396 of 2023

Date :07/06/2023

MGJ(07.06.2023) 3P 6C