



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12731 of 2023

K.Thiraviyam @ Thiraviya Kannan

... Petitioner/ Accused No.6

Vs

The State represented by
The Inspector of Police,
Chokkampatti Police Station,
Tenkasi District.
(In Crime No.262 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Rajasekar.G,

For Respondent : Mr.S.Ravi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.262 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> The petitioner/ Accused, who apprehends arrest at the hands of the



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respondent police for the offences punishable under Sections 8(c), and 20(b)(ii)(B) of NDPS Act 1985, in Crime No.262 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons were found in selling of 1.780 kgs of ganja. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence, as alleged by the prosecution. He has been falsely implicated in this case, based on the confession of co-accused. The co-accused has been released on anticipatory bail as per the order of this Court in CrI.O.P(MD)No.19497 of 2022, dated 11.11.2022. Hence, prays to release him on anticipatory bail.

4.The learned Additional Public Prosecutor submitted that the accused persons were found in illegal possession of ganja. The petitioner is not having any previous case at his credit. In this case, investigation is still pending and hence, prays to dismiss the petition.

5.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6.Taking into consideration the facts and circumstances of the case and considering the fact that the co-accused has been released on anticipatory bail and this petitioner is not having any previous case at his credit, this Court is inclined to



grant anticipatory bail to the petitioner on certain conditions.

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7. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judge, NDPS Court, Madurai**, on condition that the petitioner shall 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 Judge concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner shall appear before the concerned Judge within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
13/07/2023

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/07/2023

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

pnm

TO



2 THE INSPECTOR OF POLICE
CHOKKAMPATTI POLICE STATION,
TENKASI DISTRICT.

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

+1 CC to M/s.G.RAJASEKAR, Advocate (SR-10817[I] dated 17/07/2023)

ORDER
IN
CRL OP(MD) No.12731 of 2023
Date :13/07/2023

SS/DD/31/07/2023/4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023