



CRL OP(MD). No.13881 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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Selvam

... Petitioner/ Accused 2

Vs

The Inspector of Police,
Maraneri Police Station,
Virudhunagar District,
Crime No.100/2023.

... Respondent/Complainant

For Petitioner : M/s. SOLAISAMY.M, Advocate

For Respondent : Mr.S.RAVI,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.100 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 13.07.2023 for the offences punishable under Section 77 of the Juvenile Justice (C&P) Act r/w Section 8 (c) and 20(b)(ii)(A) of NDPS Act in Crime No.100 of 2023 on the file of the respondent police, seeks bail.

<https://www.mhc.tn.gov.in/judis> 2 The case of prosecution is that on 13.07.2023, the defacto complainant,



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who is the Panchayat President lodged a complaint stating that they have received an information about the selling of ganja to school and college students, therefore, they monitored the same and found that the accused persons were in possession of 40 grams of ganja and Rs.300/- cash. Hence, the defacto complainant caught them red handed and produced them before the respondent Police.

3.The learned counsel for the petitioner would submit that absolutely no eye witness to connect the petitioner with the above said offence. While he was travelling to his grove, the respondent Police intercepted them and there was a quarrel between them. Hence, they were falsely implicated in this case. The petitioner is in custody from 13.07.2023. Hence, prays for bail.

4.The learned Additional Public prosecutor would submit that though the petitioner is not having any previous case, the Panchayat President, who is the defacto complainant himself caught red handed the accused persons and produce them before the respondent Police. Therefore, the involvement of the petitioner came to light for the first time. Hence, prays to dismiss the petition.

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

6.Considering the facts and circumstances of this case and the facts that the petitioner is not having any previous case and also considering the period of



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incarceration undergone by the petitioner, this Court is inclined to grant bail to the
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petitioner with certain conditions.

7. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Sivakasi, and on further condition that the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

sd/-
28/07/2023

/ TRUE COPY /

28/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM
TO

1 THE JUDICIAL MAGISTRATE NO.I, SIVAKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE OFFICER INCHARGE, SUB JAIL, VIRUDHUNAGAR.

4 THE INSPECTOR OF POLICE,
MARANERI POLICE STATION, VIRUDHUNAGAR DISTRICT.

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

<https://www.mmc.tn.gov.in/judis>



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ORDER
IN
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Date :28/07/2023

SA/SAR. /28.07.2023/4P/7C
Madurai Bench of Madras High Court is issuing
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