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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13924 of 2023

Deena

... Petitioner / Accused No.4

Vs

The State represented by
The Inspector of Police,
Vickiramangalam Police Station,
Madurai District.
Crime No.104 of 2023.

... Respondent / Complainant

For Petitioner : M/s.J.Selvam, Advocate

For Respondent : Mr.S.Ravi
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.104 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent



(ii)((A) of NDPS Act read with Section 77 of Juvenile Justice Act, in Crime No.104 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 11.07.2023 on 11.00 hrs, the police team went to the banks of the pond at Vickiramangalam village where the accused Nos. 1 and 2 were standing with a yellow colour bag. When it was searched, 0.250 grams of Ganja from each accused was found and statement was recorded. On the basis of the statement the residence of the Accused No.3 was searched and from there 0.200 grams of Ganja was recovered. On the basis of the confession statement given by the third accused, this petitioner's involvement came to light.

3.The learned counsel for the petitioner would submit that except this case, there is no case is pending against the petitioner. The co-accused in this case has been already released on bail.

4. Learned Additional Public Prosecutor would submit that accused Nos.1 and 2 have been arrested on the spot and on the basis of the confession statement they searched the third accused, she was also arrested along with the contraband. On the basis of the information furnished by the third accused, this petitioner has been implicated. No previous case is pending against the petitioner.



5. Considering the facts and circumstances of this case and also the fact that co-accused has been released on bail, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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, before the learned Judicial Magistrate No.II, Usilmapatti, 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 Magistrate 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.

7. The petitioner shall appear before the concerned Magistrate 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/-
31/07/2023

/ TRUE COPY /

/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

- 1 THE JUDICIAL MAGISTRATE NO.II
USILAMPATTI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3 THE INSPECTOR OF POLICE
VICKIRAMANGALAM POLICE STATION
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.J.SELVAM, Advocate (SR-11511[I] dated 31/07/2023)

ORDER

IN

CRL OP(MD) No.13924 of 2023

Date :31/07/2023

SS/BUC/10.08.2023/4P/6C

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