



CRL OP(MD). No.14245 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14245 of 2023

Prasanth Nagarajan @ Vishnu,

... Petitioner/ Accused No.2

Vs

The Sub Inspector of Police,
Prohibition and Enforcement Wing Police Station,
Nagercoil, Kanyakumari District.
Crime No.310 of 2023.

... Respondent/ Complainant

For Petitioner : M/s.EZHILARASU C,
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.310 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.2 apprehends arrest at the hands of the respondent police for the offences under Sections 8(c) r/w 20(v)(ii)(A), 29(1) and 25 of NDPS Act, 1989 and Section 77 of Juvenile Justice Act, 2015, in Crime No.310 of 2023, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that on 26.05.2023, when the respondent police went to Chettikulam to Ramanpudur road for inspection, on the basis of the secret information received, they found the petitioner with illegal possession of 25 grams of Kanja for sale. The contraband was recovered and a case was registered.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent, he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution.

4. Learned Additional Public Prosecutor would submit that there is no identity issue. Eventhough, earlier, it has been submitted orally that the petitioner has involved in two previous cases of similar nature, after verification it was found that the petitioner is not having any previous case and this is the first offence.

5. Considering the facts and circumstances of this case and also considering the quantity of the contraband, this Court is inclined to grant relief 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, Nagercoil, on condition that the petitioner shall execute a 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 Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m., until



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further orders. The petitioners shall comply with the condition stipulated under

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Section 438 of 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 is made ready, failing which, the petition for anticipatory bail will stand dismissed.

sd/-
07/09/2023

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/09/2023

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

PNN
TO
1 THE JUDICIAL MAGISTRATE NO.II,
NAGERCOIL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE SUB INSPECTOR OF POLICE,
PROHIBITION AND ENFORCEMENT WING POLICE STATION,
NAGERCOIL, KANYAKUMARI DISTRICT.

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

+1 CC to M/s.S.K.S.PRABAKAR, Advocate (SR-13326[I] dated 07/09/2023)



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ORDER

IN

CRL OP(MD) No.14245 of 2023

Date :07/09/2023

SA/VRS/SAR. /21.09.2023/4P/6C

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