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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14947 of 2023

Vemburaj

... Petitioner/ Accused No.2

Vs

State represented by
The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City,
Cr.No.381 of 2023.

... Respondent/ Complainant

For Petitioner : M/s.C.Saravanakumar
Advocate.

For Respondent : Mr.S.Ravi
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.381 of 2023 on the file of the Respondent police.



ORDER : The Court made the following order :-

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The petitioner/ Accused apprehends arrest at the hands of the respondent police for the offences under Sections 8(c), 20(b)(ii)(B), 29(1)(25) NDPS (Narcotic drugs and Psychotropic Substances) Act, 1985, in Crime No.381 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 06.08.2023, when the respondent police was in patrol duty, the petitioner was found in illegal possession of 2 kgs of Ganja. On seeing the police, the accused persons tried to run away from the spot, but the first accused was arrested on the spot and the contraband was recovered. The second accused escaped. Hence the complaint.

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. The learned Additional Public Prosecutor would submit that the petitioner was escaped from the spot. The petitioner is not having any previous cases.

5. Considering the facts and circumstances of this case and also the fact that the petitioner is not having any previous cases, this Court is inclined to grant relief to the petitioner.

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, before the learned Principal Special Court EC and NDPS Act Cases, Madurai, on condition that the petitioners 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 further orders. The petitioner shall comply with the condition stipulated under Section 438 of Cr.P.C., scrupulously.

8. 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/-
17/08/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 PRINCIPAL SPECIAL COURT EC AND NDPS ACT CASES,
MADURAI,

2 THE INSPECTOR OF POLICE
PERUMALPURAM POLICE STATION,
TIRUNELVELI CITY.



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

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+1 CC to M/s.C.SARAVANAKUMAR, Advocate (SR-12443[I] dated 18/08/2023)

ORDER

IN

CRL OP(MD) No.14947 of 2023

Date :17/08/2023

SSA/VRS/12.09.2023/4P/5C

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