



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14980 of 2023

Durgadevi

... Petitioner/ Accused No.3

Vs

The State, represented by
The Inspector of Police,
Vellipalayam Police Station,
Nagapattinam District.
(Crime No.186 of 2019).

... Respondent/ Complainant

For Petitioner : Mr.A.Joseph Jerry,
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.186 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/3rd accused, apprehending arrest at the hands of the respondent

police for the alleged offence punishable under Section 8(c), r/w. 20(b)(ii)(B) of NDPS

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



Act, 1985 in Crime No.186 of 2019 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on secret information received, on 29.05.2019, the respondent Police went to the place of occurrence, where, four persons were standing and on seeing the Police party, they escaped from that place. The respondent Police arrested the first accused, who was having 1.100 kgs of Ganja illegally. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and has not committed any such offence as alleged by the prosecution. Further, the Accused Nos.1, 2 and 4 were released on bail in the year 2019 itself.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that no previous case is pending against the petitioner, either similar or some other nature.

5. Considering the facts and circumstances of this case and also considering that no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the

learned Principal Special District and Sessions Judge, EC and NDPS Act Court,

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



Thanjavur, 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/-
22/08/2023

/ TRUE COPY /

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

Indu

TO

1 THE JUDGE
PRINCIPAL SPECIAL DISTRICT AND SESSIONS JUDGE,
EC AND NDPS ACT COURT,
THANJAVUR,



2 THE INSPECTOR OF POLICE
VELIPALAYAM POICE STATION,
NAGAPATTINAM,
NAGAPATTINAM DISTRICT.

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

+1 CC to M/s.A.JOSEPH JERRY, Advocate (SR-12591[I] dated 22/08/2023)

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ORDER
IN
CRL OP(MD) No.14980 of 2023
Date :22/08/2023

SSA/VR/01.09.2023/4P/5C

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