



CRL OP(MD). No.15388 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15388 of 2023

(**)R.Subramani @ Subramaniasamy

... Petitioner/ Accused No.2

Vs

State Rep.by
The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
Crime No.338 of 2023.

... Respondent/Complainant

For Petitioner : Mr.R.J.Karthick, 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.338 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/2nd Accused, who was arrested on 09.08.2023 for the alleged offence under Sections 328 of IPC and 20(b)(ii)(A) of Narcotic Drugs & Psychotropic Substances Act, 1985, in Crime No.338 of 2023, on the file of the respondent police,

seeks bail

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



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2. The case of the prosecution is that on 09.08.2023, when the respondent Police on their duty of vehicle check up, this petitioner along with two other persons ran away on seeing the Police party. On tracing them, the petitioner was found in possession of 53 grams of Ganja/Contraband and the same was seized by the respondent Police along with two mobile phones. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he did not commit any such offence as alleged by the prosecution. Actually, at that time of occurrence, the petitioners and others were engaged with bike race and playing games in mobile. The respondent Police registered a false case against the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that there is no previous case is pending against the petitioner.

5. Considering the fact and circumstances of this case and also considering the period of incarceration and no previous case is pending against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions;

6. 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) with two sureties each for a like sum to the satisfaction of the learned (*)Judicial Magistrate, Radhapuram, and on further condition that the



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petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

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sd/-
24/08/2023

(*)CORRECTED AS PER ORDER OF THIS
HON'BLE COURT IN CRL OP(MD).15388/2023
DATED 25.08.2023

(**) CORRECTED AS PER ORDER OF THIS
HON'BLE COURT IN CRL.M.P(MD) No.12587 of
2023 IN CRL OP(MD).15388/2023 DATED
12.09.2023

/ TRUE COPY /

/08/2023

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

Indu

TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON
24/08/2023

1 THE JUDICIAL MAGISTRATE, SANKARANKOVIL.

2 THE JUDICIAL MAGISTRATE, RADHAPURAM.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

4 THE INSPECTOR OF POLICE, THISAYANVILAI POLICE STATION,
TIRUNELVELI DISTRICT.

5 THE SUPERINTEDENT, CENTRAL PRISON, PALAYAMKOTTAI.



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

ORDER IN
CRL OP(MD) No.15388 of 2023
Date :24/08/2023

RS//SAR-(24.08.2023) 4P 6C
RS//SAR-(25.08.2023) 4P 7C

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SSA/DD/25.09.2023/4P/7C
Madurai Bench of Madras High Court is issuing
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