



CRL OP(MD). No.16396 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 11/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.16396 of 2023

Sakthivel

... Petitioner/ Accused No.3

Vs

State represented by
The Sub Inspector of Police,
Dhalavaipuram Police Station,
Virudhunagar District.
Crime No.204 of 2023

... Respondent/ Complainant

For Petitioner : M/s.M.Prabu, 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.204 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.3 herein, who was arrested on 19.08.2023 for the alleged offences under Sections 8(c), 20(b)(ii)(A) NDPS Act and Section 77 of Juvenile Justice Act in Crime No.204 of 2023, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that on 19.08.2023, when the respondent police were on patrol duty, near the Nadar Higher Secondary School, Melavaragunaramapuram, the petitioner was riding a two wheeler along with the other accused person as pillion rider. On suspicion, the respondent police made a search and found the petitioner in illegal possession of 60 grams of Ganja to be sold to the school students. The contraband was recovered and the present case was registered.

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

4. The learned Additional Public Prosecutor would submit that totally 250 grams of Ganja was recovered and the petitioner is not having any previous cases.

5. Considering the facts and circumstances of this case and also considering the period of incarceration and the fact that it is the first offence of the petitioner, this Court is inclined to grant relief to the petitioner.



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6. Accordingly, this Criminal Original Petition is allowed and the petitioner ordered to be released on bail, on executing 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 Judicial Magistrate, Rajapalayam, and the petitioner shall file an undertaking affidavit before the trial Court that he will not indulge in any kind of offence in future and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
11/09/2023

/ TRUE COPY /

11/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pnn

To

- 1.THE JUDICIAL MAGISTRATE, RAJAPALAYAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 3.THE OFFICER IN CHARGE, SUB JAIL, SRIVILLIPUTHUR.
- 4.THE SUB INSPECTOR OF POLICE,
DHALAVAIPURAM POLICE STATION,
VIRUDHUNAGAR DISTRICT.



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

+1 CC to M/s.M.PRABU, Advocate (SR-13460[I] dated 11/09/2023)

ORDER
IN
CRL OP(MD) No.16396 of 2023
Date :11/09/2023

RK (11/09/2023) 4P / 7C

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