



CRL OP(MD). No.16610 of 2023

WEB COPY

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

Date : 14/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.16610 of 2023

M.Selvaganapathi

... Petitioner/ Accused Rank No.1

Vs

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

... Respondent/ Complainant

For Petitioner : M/s.Rajaboopathy D, 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 herein, who was arrested on 19.08.2023 for the alleged offence under Sections 8(C) and 20(b)(ii) A of Narcotic Drugs & Psychotropic Substances Act, 1985 and 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.204 of 2023, on the file of the respondent police, seeks bail.



CRL OP(MD). No.16610 of 2023

WEB COPY

2. The case of the prosecution as per the defacto complainant version is that on 19.08.2023 at about 09.30 a.m., when the respondent police were in picketing duty, the petitioner and the co-accused were in joint possession of Ganja weighing 60 grams in a two wheeler. On the basis of the occurrence, the respondent recovered the properties and registered the present case.

3. The learned counsel for the petitioner submitted that the petitioner is 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 the petitioners were in illegal possession of 50 grams of Ganja which is no a commercial quantity. The petitioner is not having any previous cases.

5. Considering the period of incarceration and also 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, on executing a bond for a sum of Rs.10,000/- (Rupees



CRL OP(MD). No.16610 of 2023

Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Rajapalayam, Virudhunagar District and the petitioner is directed to file an undertaking affidavit before the trial Court that he will not indulge in such offences 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/-
14/09/2023

/ TRUE COPY /

14/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pnn

TO

1. The Judicial Magistrate, Rajapalayam,
Virudhunagar District.
2. Do-Through The Chief Judicial Magistrate,
Virudhunagar District @ srivilliputhur.
3. The Officer in charge, Sub jail, Srivilliputhur,
Virudhunagar District.
4. The Inspector of Police,
Dhalavaipuram Police Station,
Virudhunagar District.



CRL OP(MD). No.16610 of 2023

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.D.RAJABOOPATHY, Advocate (SR-13689[I] dated 14/09/2023)

ORDER
IN
CRL OP(MD) No.16610 of 2023
Date :14/09/2023

RK/(14/09/2023) 4P / 7C

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