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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16812 of 2023

Kaliraj,

... Petitioner/ Accused No.1

Vs

The State rep. by
The Inspector of Police,
Sattur Town Police Station,
Virudhunagar District,
In Crime No.289 of 2023

... Respondent/ Complainant

For Petitioner : M/s.Mohamed Ibrahim J,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor.

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.289 of 2023 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner / Accused No.1 herein, who was arrested on 14.08.2023 for the alleged offence under Sections 8(c), 20(b)(ii)(A) of Narcotic Drugs & Psychotropic

Substances Act, 185, and Section 77 of JJ Act in Crime No.289 of 2023, on the file of

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



the respondent police, seeks bail.

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2. The case of the prosecution as per the complainant is that on 13.08.2023 at about 7.45 p.m., when the respondent police went to the cattle shed of the petitioner, on the basis of the secret information received, they found the petitioner in illegal possession of 550 grams of Ganja. Later, the contraband was seized and the petitioner was arrested on the spot. Based on the incident, the present case came to be 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. She has been falsely implicated in this case. Hence, she seeks for the relief of bail.

4. The learned Additional Public Prosecutor would submit that the petitioner was in illegal possession of 550 grams of Ganja, to be sold to school students in his two wheeler.

5. Considering the facts and circumstances of this case and also considering the period of incarceration, 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 Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Sattur, Virudhunagar District, 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/-
19/09/2023

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19/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1.The Judicial Magistrate No.II, Sattur,
Virudhunagar District.
- 2.Do-Through The Chief Judicial Magistrate,
Viruthunagar District at srivilliputhur
- 3.The Officer Incharge, Sub Jail, Aruppukottai.
- 4.The Inspector of Police,
Sattur Town Police Station,
Virudhunagar District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.J.MOHAMED IBRAHIM, Advocate (SR-13837[I] dated 19/09/2023)



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ORDER
IN
CRL OP(MD) No.16812 of 2023
Date :19/09/2023

SSA/19.09.2023/4P/7C

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