



WEB COPY 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.16879 of 2023

Pradheep @ Askathi

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Rajapalayam North Police Station,
Virudhunagar District.
Crime No.283/2023.

... Respondent/Complainant

For Petitioner : M/s.Narayanakumar K P,
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.283/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Sole Accused herein, who was arrested on 21.08.2023 for the
alleged offence under Sections 8(C), 20(b)(ii)(A) of Narcotic Drugs and Psychotropic



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Substances Act, 1985 and Section 77 of Juvenile Justice (Care and Protection of Children Act) 2015, in Crime No.283 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the complainant is that on 21.08.2023 at about 12.40 p.m., when the respondent police went to the place of occurrence for checking, on the basis of the secret information received, they found the petitioner in illegal custody of 40 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 40 grams of Ganja. The petitioner is also having a previous case in Crime No.218 of 2023 for the offences under Sections 147, 294(b), 427, 448, 324, 323, 506(ii) of IPC.

5. Eventhough it has been stated by the learned Additional Public Prosecutor that the petitioner is having a previous case, it is not for the similar offences and 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.

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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, 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/-
19/09/2023

/ TRUE COPY /

19/09/2023
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,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE OFFICER INCHARGE,
SUB JAIL, SRIVILLIPUTHUR.



4

WB

4 THE INSPECTOR OF POLICE
RAJAPALAYAM NORTH POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.K.P.NARAYANA KUMAR, Advocate (SR-13816[I] dated 19/09/2023)

ORDER
IN
CRL OP(MD) No.16879 of 2023
Date :19/09/2023

SS/19/09/2023/4P/7C

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