



CRL OP(MD). No.17343 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17343 of 2023

Ari Narayanan

... Petitioner/ Accused No.3

Vs

State Rep.by
The Inspector of Police,
Karungal Police Station,
Kanyakumari District.
(Crime No.282 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Mohanasundaram.R, Advocate.
For Respondent : Mr.S.Ravi, Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime no.282 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 8(c), 20(b)(ii)(B) and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 77 of the



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Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.282 of 2023,

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on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 22.09.2023 at about 11.00 a.m., on secret information the defacto complainant went to the occurrence spot. At that time, the accused persons trying to sell 1.400 gms. of Ganja to one person. On seeing the police party, they fled away from the occurrence place. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. The petitioner and the first accused are studying in the same College. The petitioner never present at the scene of occurrence. Hence, he prays to grant anticipatory bail.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that investigation is still pending. There is no previous case pending against the petitioner. Accused Nos.1, 3 and 4 were selling Ganja. They have purchased the Ganja from A2. The petitioner is A3. He is a college student and suspended on 13.09.2023. However, the learned counsel for the petitioner would submit that because of the long leave only, he was suspended from the college.

5. Considering the nature of offence, the limited overt act attributed against the petitioner, the petitioner is a College going student and considering the fact that the petitioner is having no previous antecedents, this Court is inclined to grant



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anticipatory bail to the petitioner.

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6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Eraniel, on condition that the petitioner shall execute 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 Magistrate concerned and on further condition that the petitioner shall file an undertaking affidavit before the trial Court concerned to the effect that he will not indulge in such activities in future. The petitioner shall appear before the respondent police on every Sunday at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
27/09/2023

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/10/2023

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

TM



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TO

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1 THE JUDICIAL MAGISTRATE, ERANIEL.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE INSPECTOR OF POLICE, KARUNGAL POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.R.MOHANASUNDARAM, Advocate (SR-14266[I] dated 27/09/2023)

ORDER

IN

CRL OP(MD) No.17343 of 2023

Date :27/09/2023

RS/DD/SAR-(09.10.2023) 4P 6C

Madurai Bench of Madras High Court is issuing
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