



CRL OP(MD). No.20039 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/11/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20039 of 2023

Mohamed Ashiq Raja @ Mohamed,Asiq Raja,

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
Thiruverumbur Police Station,
Trichy District.
Crime No.456 of 2023.

... Respondent

For Petitioner : Mr.R.Alagumani
Advocate.

For Respondent : Mr.R.M.S.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Cr.No.456 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A4 herein, who was arrested and remanded to judicial custody on

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



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14.10.2023 for the alleged offences under Sections 328 of IPC, Section 18(c) of Drugs and Cosmetics Act and Section 77 of Juvenile Justice(Care and Protection of Children) Act, in Crime No.456 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on on 13.10.2023 at about 04.00 p.m., when the Village Administrative Officer of Elakkudi Village was on raid the public residing in that area informed that the accused persons are distributing drugs tablet through A3 and A4 without any prescription. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 14.10.2023 , hence he seeks bail.

4.The learned Additional Public Prosecutor submitted that the accused persons were found in illegal possession of drug tablets and selling to general public, hence he objected to grant bail to the petitioner. He would further submit that no previous case is pending against the petitioner.



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5.Considering the fact that no previous case is pending against the petitioner and the petitioner is neither a seller nor a proprietor and also considering the period of incarceration this Court is inclined to grant bail to the petitioner with stringent conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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.VI, Trichy and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
08/11/2023

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08/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

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TO
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1. The Judicial Magistrate No.VI, Trichy
2. Do through the Chief Judicial Magistrate,
Trichy
3. The Superintendent, Central Prison, Trichy.
4. The Inspector of Police,
Thiruverumbur Police Station,
Trichy District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
+1 CC to M/s.DR.R.ALAGUMANI, Advocate (SR-16084[I] dated 08/11/2023)

ORDER
IN

CRL OP(MD) No.20039 of 2023
Date :08/11/2023

SSA/08.11.2023/4P/7C

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