



CRL OP(MD). No.199 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/01/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.199 of 2024

Mohamed Ibrahim,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.
Crime No.550 of 2023.

... Respondent/Complainant

For Petitioner : Mr.A.Sankararamasubramanian,
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.550 of 2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner / sole Accused, who was arrested and remanded to judicial custody on 02.12.2023 for the offence punishable under Sections 8(c) and 20 (b)(ii)(A) of Narcotics Drugs Psychotropic Substances Act, 1985 and section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015 in Crime No.550 of 2023, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that based on the secret information, the respondent Police intercepted the petitioner and seized 700 gms of Ganja from him. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He would further submit that the petitioner has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody for more than thirty four days and accordingly, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that no previous case is pending against the petitioner. He



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would further submit that totally 700 Gms of Ganja was recovered from the accused person. He would further submit that the quantity of Ganja involved in this case is not a commercial quantity.

5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case and considering the fact that the quantity of Ganja recovered from the petitioner is not a commercial quantity, this Court is inclined to grant bail to the petitioner herein, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his 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, Tenkasi and on further conditions that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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(b) the petitioner is directed to appear before the respondent police daily i.e., at 10.30 A.M., until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/ Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
09/01/2024

/ TRUE COPY /

09/01/2024
Sub-Assistant Registrar (C.S. -I/ II/ III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1. The Judicial Magistrate, Tenkasi.



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2. Do-Through The Chief Judicial Magistrate,
Tirunelveli District.

3. The Superintendent, Central Prison, Palayamkottai.

4. The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.

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

+1 CC to M/s.A.SANKARARAMA SUBRAMANIAN, Advocate (SR-386[I] dated
09/01/2024)

ORDER
IN
CRL OP(MD) No.199 of 2024
Date :09/01/2024

RK/ (09/01/2024) 5P / 7C

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