



CRL OP(MD) No.1393 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Thirty First day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1393 of 2024

SARAVANAN

... PETITIONER / ACCUSED No.2

Vs

THE INSPECTOR OF POLICE
NIB-CID POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO.28/2020)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.SIVAPRAKASH Advocate

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

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

PRAYER:

FOR ANTICIPATORY BAIL IN CRIME NO. 28 OF 2020 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police
for the alleged offence under Sections 8(c), 20(b)(ii)(B) of Narcotic Drugs &
Psychotropic Substance Act, 1985, in Crime No.28 of 2020, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner along with the other accused persons were found in illegal possession of 1.600 kgs of Kanja. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the petitioner was found in illegal possession of 1.600 Kgs of Kanja and also submitted that three previous cases are pending against the petitioner.

5. Considering the facts and circumstances of the case and also considering the quantity of Kanja involved in this case, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and he is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Additional Principal Special Court for EC & NDPS, Madurai District**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten



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Thousand Only), with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

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

(c)the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

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

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

(f)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;



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

sd/-
31/01/2024

/ TRUE COPY /

/02/2024

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

TTA

TO

- 1 THE ADDITIONAL PRINCIPAL
SPECIAL JUDGE FOR EC AND NDPS ACT CASES,
MADURAI DISTRICT.
- 2 THE INSPECTOR OF POLICE
NIB-CID POLICE STATION,
DINDIGUL DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.SIVAPRAKASH, Advocate (SR-1223[I] dated 31/01/2024)

ORDER

IN

CRL OP(MD) No.1393 of 2024

Date :31/01/2024

SS/JGB/SAR- /12/02/2024/4P/5C

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