



CRL OP(MD) No.1672 of 2024

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

Monday, the Fifth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1672 of 2024

ARUL VINNARASAN @ VINNI ... PETITIONER / ACCUSED RANK 2

Vs

THE INSPECTOR OF POLICE
MANAMELKUDI POLICE STATION,
MANAMELKUDI,
PUDUKOTTAI DISTRICT,
CRIME NO.223/2023

... RESPONDENT(S) / COMPLAINANT(S)

For Petitioner : M/S.ALAUDEEN.S.A.S 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.223/2023 ON THE FILE OF
THE RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioner / A2, who apprehends arrest at the hands of the respondent
police for the alleged offence punishable under Sections 8(c) r/w 20(b)(ii)(B) of



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Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.223 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that based on the secret information, the respondent police conducted raid and found 1.150 kg of Ganja from the accused. Hence the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the contraband seized from the petitioners is not a commercial quantity. Further, no previous case is pending against the petitioner. Hence, he prays to grant anticipatory bail.

4.The learned Additional Public Prosecutor for the State would submit that the petitioner along with other accused were found in illegal possession of 1.150 kg of Ganja. However, he fairly conceded that no previous case is pending against the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact that the contraband seized from the petitioner does not come under the commercial quantity, this Court is inclined to grant 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



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fifteen days from the date of receipt of a copy of this order, before the Special Court of EC and NDPS Act Case, Pudukottai, 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 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 his 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 his identity;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required;

(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



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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;

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

sd/-
05/02/2024

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/02/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO
1 THE SPECIAL JUDGE FOR
EC AND NDPS ACT CASE,
PUDUKOTTAI.

2 THE INSPECTOR OF POLICE
MANAMELKUDI POLICE STATION,
MANAMELKUDI,
PUDUKOTTAI DISTRICT,

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

+1 CC to M/s.S.A.S.ALAUDEEN, Advocate (SR-1439[I] dated 06/02/2024)



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ORDER
IN
CRL OP(MD) No.1672 of 2024
Date :05/02/2024

SA/GS/SAR. /12.02.2024/5P/5C

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