



CRL OP(MD) No.4861 of 2024

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

Wednesday, the Twenty Seventh day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4861 of 2024

RANJITH KUMAR

... PETITIONER / ACCUSED No.3

Vs

THE SUB INSPECTOR OF POLICE
BODINAYAKKANUR TOWN POLICE STATION,
THENI DISTRICT.
CRIME NO. 72/2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S BALAJI.A, 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. 72 OF 2024 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 punishable under Sections 8(c), 20(b)(ii)(B), 25 and 29(1)
NDPS Act, 1985 in Crime No.72 of 2024, seeks anticipatory bail.



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2.The case of the prosecution is that on 10.03.2024, based on the secret information, the respondent police conducted search near TNSTC depot, Bodi. At that time, they stopped the vehicle of A1 and A2 and conducted search and found that they were in illegal possession of 1.100 kgs of ganja. On enquiry, it was revealed that they bought the contraband from the petitioner herein. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the quantity involved in the present case is smaller quantity and accordingly, he prayed to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that the petitioner is having one similar previous case and hence, he opposed to grant anticipatory bail to the petitioner. However, he would fairly submit that the quantity involved in the present case as well as in the previous case is only smaller quantity.

5.Considering the facts and circumstances of the case and also considering the fact that the quantity involved in the present case as well as in the previous case is only smaller quantity, this court is inclined to grant anticipatory bail to the



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petitioner with certain conditions.

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6. Accordingly, the petitioner 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 (*)the District and Sessions Court for EC & NDPS Act Cases, Madurai 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 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;



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(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;

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

sd/-
27/03/2024

(*) AMENDED AS PER ORDER OF THE COURT
DT.22/04/2024 IN CRL MP(MD)No.4547 of 2024 in
CRL OP(MD)No.4861 of 2024 BY BPJ.

FURTHER TIME GRANTED BY THIS COURT TO
COMPLY WITH THE CONDITION IMPOSED VIDE
ORDER, DATED 27.03.2024 IN CRL.OP(MD)No.4861
OF 2024 IS EXTENDED FOR A PERIOD OF TEN DAYS
FROM THE DATE OF RECEIPT OF AMENDED COPY
OF THIS ORDER.

/ TRUE COPY /

/06/2024

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



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GNS

TO

TO BE SUBSTITUTED WITH THE ORDER DATED 27/03/2024 ALREADY
DESPATCHED

1 THE DISTRICT AND SESSIONS JUDGE FOR EC & NDPS ACT CASES,
MADURAI.

2 THE JUDICIAL MAGISTRATE,
BODINAYAKKANUR.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT.

4 THE SUB INSPECTOR OF POLICE
BODINAYAKKANUR TOWN POLICE STATION, THENI DISTRICT.

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

+1 CC to M/s.A.BALAJI, Advocate (SR-3832[I] dated 27/03/2024)

ORDER
IN

CRL OP(MD) No.4861 of 2024

Date :27/03/2024

SS/GS/SAR- /05/04/2024/5P/6C

PNM

SA/VR/SAR- /14/06/2024/5P/7C

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