



CRL OP(MD). No.6328 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6328 of 2024

Vasanthakumar

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Thanjavur West Police Station,
Thanjavur District.
(Crime No.252/2024).

... Respondent/Complainant

For Petitioner : Mr.K. M.Karunakaran, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.252/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 15.03.2024, for the offence under



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Sections 8(c) r/w 20(b)(ii)(B) of N.D.P.S.Act, 1985 in Crime No.252 of 2024, seeks
bail.

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2. The case of the prosecution is that the petitioner and other accused persons were found in possession of 1.100kg of ganja.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he is languishing in Jail from 15.03.2024.

4. The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail on the ground that the investigation is yet to be completed. He further submits that four previous cases are pending against the petitioner, in which, one case is similar in nature.

5. Considering the previous antecedents of the petitioner, this Court is not inclined to enlarge the petitioner on bail. However, the learned counsel for the petitioner submitted that the petitioner is ready to file an undertaking affidavit before the concerned Judicial Magistrate that he will not indulge in any offence in future.



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6. Considering the facts and circumstances of the case, the readiness of the petitioner to file an affidavit that he will not indulge in any offence in future and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail on the following conditions:-

i) The petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned **Additional District Judge, Special Court Under Essential Commodities Act, Thanjavur.**

ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address and also, the petitioner shall file an affidavit before the concerned Judge at the time of furnishing the sureties that he will not indulge in any offence.

iii) The petitioner is directed to appear before the respondent police daily at 10.00 a.m until further orders. He has to co-operate for the investigation.

iv) The petitioner shall not misuse the liberty granted to him by indulging in



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any further offence and shall not tamper with the prosecution witnesses. He shall be

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available for the trial as well.

v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-

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24/04/2024

Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

- 1 THE ADDITIONAL DISTRICT JUDGE
SPECIAL COURT UNDER ESSENTIAL COMMODITIES ACT,
THANJAVUR.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUCHIRAPPALLI.
- 3 THE INSPECTOR OF POLICE
THANJAVUR WEST POLICE STATION, THANJAVUR DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-4798[I] dated 24/04/2024)



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ORDER
IN
CRL OP(MD) No.6328 of 2024
Date :24/04/2024

SS/SAR- /24/04/2024/5P/6C

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