



CRL OP(MD). No.7183 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.05.2024

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CRL OP(MD). No.7183 of 2024

Shaik Aman

... Petitioner/ Accused 1

versus

State Rep.by
The Inspector of Police,
Krishnan Kovil Station
Virudhunagar
Crime No.73 of 2024

... Respondent/Complainant

For Petitioner : Mr.A.S.VAIGUNTH
Advocate

For Respondent : Mr.A.THIRUVADI KUMAR,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.73 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 26.04.2024 for the offence punishable under Section 8(c) r/w 20(b)(ii)(A) of NDPS Act and Section 77 of Juvenile Justice Act, in Crime No.73 of 2024 on the file of the respondent Police, seeks bail.



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2. The case of the prosecution is that the petitioner was found in possession of 500 grams of ganja. Hence, the case.

3. The learned counsel appearing 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 26.04.2024. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor opposes for grant of bail on the ground that the investigation is yet to be completed. However, the petitioner is not having any previous case.

5. Considering the facts and circumstances of the case and taking note of the period of incarceration and also the fact that the petitioner is not having any previous case, this court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and 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 learned Judicial Magistrate Court No.II, Srivilliputhur 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



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their Aadhar card or Bank pass Book to ensure their identity.

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[b] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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 is 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
22/05/2024

/ TRUE COPY /

23/05/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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MSA

TO

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1 THE JUDICIAL MAGISTRATE NO.II, SRIVILLIPUTHUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, VIRUDHUNAGAR.

4 THE INSPECTOR OF POLICE,
KRISHNAN KOVIL STATION, VIRUDHUNAGAR

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

+1 CC to M/s.A.S.VAIGUNTH, Advocate (SR-5639[I] dated 22/05/2024)

ORDER IN

CRL OP(MD) No.7183 of 2024

Date :22/05/2024

SA/SAR. /23.05.2024/4P/7C

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