



CRL OP(MD). No.7515 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.7515 of 2024

Suriyakumar @ Pachakili Suriya

... Petitioner/ Accused No.4

Vs

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

... Respondent/Complainant

For Petitioner : Mr.T.A.Ebenezer, Advocate
For Respondent : Mr.A.Thiruvadikumar
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 /A4 who was arrested and remanded to judicial custody on 15.03.2024 for the offences under Sections 8(c) r/w.20(b)(ii)(B) of NDPS Act in Crime No.252 of 2024 on the file of the respondent police seek bail.

2. The case of the prosecution is that the petitioner along with other three accused were found in illegal possession of 1.110 Kgs of kanja. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is



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innocent and a false case has been foisted against him. He would further submit that the petitioner is in judicial custody from 15.03.2024, hence he seeks bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the petitioner along with three were found in unlawful possession of 1 kg 110 Gram of kanja, hence he objected to grant bail to the petitioner. Further, the petitioner is having seven previous cases, among which two cases are registered under similar offences.

5. Taking into consideration the facts and circumstances of the case and considering the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Additional District Judge / Special Court under EC Court Act cases, Thanjavur and on further conditions that:

[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[c] the petitioner shall stay at Kanniyakumari District for a period of 30 days from the date of receipt of copy of this order.



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[d] the petitioner shall report before the Kanyakumari Police Station daily at 10.30 A.M., for a period of thirty days and thereafter he shall report before the respondent Police as and when required for interrogation.

[e] the petitioner shall not commit any offences of similar nature.

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

[g] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[h] On breach of any of the aforesaid conditions, the learned Judicial 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].

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

sd/-
22/05/2024

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22/05/2024

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

INDU



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TO

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1 THE ADDITIONAL DISTRICT JUDGE /
SPECIAL COURT UNDER EC COURT ACT CASES,
THANJAVUR DISTRICT.

2 THE INSPECTOR OF POLICE, THANJAVUR TOWN WEST POLICE STATION,
THANJAVUR.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE, KANYAKUMARI POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.T.A.EBENEZER., Advocate (SR-5612[I] dated 22/05/2024)

ORDER
IN

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Date :22/05/2024

RS//SAR-(22.05.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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