



CRL OP(MD). No.8261 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.8261 of 2024

Agnivel Jeyaraman

... Petitioner/ Accused Rank Not Known

Vs

The Inspector of Police,
Samayanallur Police Station,
Madurai District.
(Crime No.72/2024)

... Respondent/Complainant

For Petitioner : Mr.D.S.Haroon Rasheed, Advocate.

For Respondent : Mr.R.M.Anbunithi, Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of 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 / accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 25(1)(A) and 7 of Arms Act, 1959 r/w. 147, 148, 149 IPC u/s. 3(1) of TN Public Property (Prevention of Damage and Loss) Act, 1992 in Cr.No.72 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that on receiving a secret information, on 23.03.2024 the respondent officials conducted a raid and at that time, the petitioner herein and other accused have illegally found in possession of 8 ½ kgs ganja and on seeing the police officials, they have escaped from the scene of occurrence. Hence, the



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complaint.

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3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case and seeks anticipatory bail.

4.The learned Additional Public Prosecutor would submit that the contraband recovered from the accused persons is 8 ½ kgs and the petitioner is implicated in this case based on the confession of co-accused and the investigation of the case is pending.

5.Considering the facts and circumstances of the case and also considering the fact that contraband has been recovered and that petitioner herein arrayed as accused based on the confession of co-accused, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vadipatti 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:



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(a) the petitioner and 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;

(b) the petitioner shall report before the respondent police once daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond 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 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;

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

sd/-
01/07/2024

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/07/2024

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

Madurai - 625 023.



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TO

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1 THE JUDICIAL MAGISTRATE, VADIPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE, SAMAYANALLUR POLICE STATION,
MADURAI DISTRICT.

4 THE INSPECTOR OF POLICE, SAMAYANALLUR POLICE STATION,
MADURAI DISTRICT.

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

+2 CC to M/s.D.S.HAROON RASHEED, Advocate (SR-7250[I] dated 02/07/2024)

ORDER IN

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Date :01/07/2024

RS/VR/SAR-(12.07.2024) 4P 8C

Madurai Bench of Madras High Court is issuing
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