



CRL OP(MD). No.8797 of 2024

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

Date : 25/06/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.8797 of 2024

A.Mahendran

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
(Crime No.359/2021).

... Respondent/Complainant

For Petitioner : Mr.Muthuchharan Sundresh, Advocate.

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.359 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A10, who was arrested on 21.02.2024 for the alleged offence under Sections 8(c) r/w 20(b) (ii) ©, 25, 29(1) of NDPS Act, in Crime No.359 of 2021, on the file of the respondent police, seek bail.



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2.The case of the prosecution is that the petitioner along with the accused 9 & 11 procured ganja from Andhra Pradesh and supplied the same to the other accused 1 to 8, from whom, the contraband has been recovered.

3.The learned counsel appearing for the petitioner submits that based on the confession statement of the co-accused, the petitioner has been implicated in this case. No recovery has been made from this petitioner. The petitioner was shown as absconding accused in the Charge sheet. In fact, the petitioner is not aware of the existence of the criminal case registered as against him.

4.The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail to the petitioner that the petitioner has absconded and therefore, the case was split up as against the other accused in CC No.50 of 2022 and the accused in that case have been convicted by the trial Court on 05.04.2023. The case as against the accused 9,10(the petitioner) and 11 is pending in CC No.816 of 2022. He further submits that the petitioner has involved in six previous cases and those cases are of the years 2017 and 2018 pertaining to IPC offences.

5.This Court considered the rival submissions made and also perused the materials placed on record.

6.The petitioner was arrested on 21.02.2024. The Investigating Agency has not collected any materials other than the confession statement as against this



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petitioner. In view of the above, and considering the period of incarceration, this

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Court is inclined to grant bail to the petitioner with some conditions.

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

i) The petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh) each with two sureties of a responsible persons for a like sum to the satisfaction of the learned Judge, Principal District Court for EC and NDPS Act, Madurai.

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;

iii) The petitioner shall report before the respondent police daily at 10.30 a.m. and 5.00 p.m, until further orders. The petitioner has to co-operate for the trial.

iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.



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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/-
25/06/2024

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/06/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN

To

- 1.The Judge,
Principal District Court for EC and NDPS Act,
Madurai.
 - 2.The Inspector of Police,
Usilampatti Town Police Station,
Madurai District.
 - 3.The Superintendent,
Central Jail,
Madurai.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.P.PRAVEENKUMAR, Advocate (SR-6886[I] dated 25/06/2024)



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+1 CC to M/s.P.PRAVEENKUMAR, Advocate (SR-6952[I] dated 26/06/2024)

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ORDER

IN

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Date :25/06/2024

ED/ /SAR- (25/06/2024) 5P / 7C

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