



CRL OP(MD)No.9244 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 10.07.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.9244 of 2024

Sundar @ Sundaravel

... Petitioner/ Accused 2

Vs

The Inspector of Police,
Pudukottai Police Station,
Tuticorin District.
In Cr.No.59 of 2024

... Respondent/Complainant

For Petitioner : Mr.Subash Babu, Senior Counsel
for M/S.Subash Law Office

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

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No.59 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 8(c) r/w 20(b)(ii)(B) NDPS Act, 1985 in Cr.No.59 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first accused in this case was found in



CRL OP(MD)No.9244 of 2024

WEB COPY

illegal possession of 6 ½ kgs of ganja and he confessed that as per the instruction of the petitioner herein, he was selling the contraband.

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. Further, he submits that only based on the confession statement of the other accused, the petitioner herein was added as an accused.

4.Considering the above submission, this Court by an earlier order dated 25.06.2024, granted interim anticipatory bail to the petitioner for a period of two weeks with a direction to co-operate with the enquiry. However, no report is filed by the respondent Police with regard to the enquiry.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the NDPS Court, Madurai on condition that the petitioner shall execute 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 NDPS Court, Madurai and on further conditions that:

- i. The petitioner and the sureties shall submit a copy of their



CRL OP(MD)No.9244 of 2024

WEB COPY

Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

ii. The petitioner shall appear before the respondent police daily at 10.30 am until further orders. He has to co-operate for the investigation.

iii. 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.

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

sd/-
10/07/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS
TO
1 THE JUDGE,
NDPS COURT,
MADURAI.



CRL OP(MD)No.9244 of 2024

2 THE INSPECTOR OF POLICE,
PUDUKOTTAI POLICE STATION,
TUTICORIN DISTRICT.

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

+1 CC to M/s.M/S.SUBASH LAW OFFICE, Advocate (SR-7805[I] dated
11/07/2024)

ORDER IN
CRL OP(MD) No.9244 of 2024
Date :10/07/2024

SA/VR/SAR. /24.07.2024/4P/5C

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