



CRL OP(MD). No.9438 of 2024

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

Date : 27/06/2024

PRESENT

The Hon`ble Mr.Justice **B.PUGALENDHI**

CRL OP(MD). No.9438 of 2024

Pandian

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Kottaipattinam Police Station,
Pudukottai District
Crime No.38/2024.

... Respondent/Complainant

For Petitioner : M/s.Lenin Kumar.T, 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.38/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime No.38 of 2024 for the offence under Sections 8(c) and 20(b)(ii)(B) of Narcotic Drugs & Psychotropic Substances Act, 1985, and remanded him into judicial custody on 18.06.2024. Therefore, the petitioner has filed this petition seeking bail.



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2. The case of the prosecution is that the petitioner was found with illegal possession of 1.150 kilograms of ganja. Hence the case.

3. The learned counsel for the petitioner raised serious allegation as against the respondent police that in order to extract some details from the petitioner with regard to another crime, he has been taken to the police station and brutally assaulted. He further submits that since the mother of the petitioner has taken some initiatives by filing a complaint and an habeas corpus petition, this case has been foisted and that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he has been arrested and he is languishing in jail from 18.06.2024. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent has tried to justify the injury found on the petitioner that he has suffered injury in a rekla race. He also submits that no previous case is pending against the petitioner.

5. Considering the facts and circumstances of the case and also considering the antecedent of the petitioner, 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

i) on the petitioner executing 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



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the learned Additional District and Sessions Judge /Presiding Officer, Special Court
for E.C and NDPS Act cases, Pudukottai District.

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 appear before the respondent Police as and when required by the respondent police. He has to co-operate for the investigation.

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. He shall be available for the trial as well.

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/-
27/06/2024

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27/06/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR



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TO
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- 1 THE ADDITIONAL DISTRICT AND
SESSIONS JUDGE/PRESIDING OFFICER,
SPECIAL COURT FOR EC AND NDPS ACT CASES,
PUDUKOTTAI DISTRICT.
- 2 THE INSPECTOR OF POLICE
KOTTAIPATTINAM POLICE STATION,
PUDUKOTTAI DISTRICT
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKOTTAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.LENINKUMAR, Advocate (SR-7076[I] dated 27/06/2024)

ORDER
IN

CRL OP(MD) No.9438 of 2024

Date :27/06/2024

SS/SAR- /27/06/2024/4P/6C

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