



CRL OP(MD). No.9586 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/07/2024

PRESENT

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

CRL OP(MD). No.9586 of 2024

S.Mohamed Azarudeen,

... Petitioner/ Accused 4

Vs

The Sub Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
Crime No.59 of 2024.

... Respondent/Complainant

For Petitioner : M/s.P.Krishnaveni,
Advocate.

For Respondent : Mr.T.Senthilkumar,
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/A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c) and 20(b)(ii)(B) of the Narcotic



CRL OP(MD). No.9586 of 2024

Drugs and Psychotropic Substances Act, 1985 in Cr.No.59 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 2.500 kgs of ganja. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. However, he would further submit that the petitioner shall abide any condition imposed by this Court.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner was found in illegal possession of 2.500 kgs ganja. However, he fairly conceded that the contraband recovered from the accused is comes under the intermediate quantity and no previous case is pending against the petitioner.

5.Considering the facts and circumstances of the case and also considering the facts that the petitioner was found to be in possession of intermediate quantity of ganja and no previous case is pending against the petitioner, 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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned I Additional Special Judge for NDPS Act cases,



CRL OP(MD). No.9586 of 2024

Madurai, 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:

(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 daily at 10.00 a.m until further orders.

(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;



CRL OP(MD). No.9586 of 2024

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section

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229-A IPC.

sd/-
09/07/2024

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

SKN
TO

1 THE I ADDITIONAL SPECIAL JUDGE
FOR NDPS ACT CASES, MADURAI.

2 THE SUB INSPECTOR OF POLICE,
PUDUKOTTAI POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.P.KRISHNAVENI, Advocate (SR-7669[I] dated 09/07/2024)

ORDER IN
CRL OP(MD) No.9586 of 2024
Date :09/07/2024

SA/VR/SAR. /22.07.2024/4P/5C

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