



CRL OP(MD).No.9984 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.07.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.9984 of 2024

Palanisamy

... Petitioner/ Accused No.2

Versus

State Rep. by
The Inspector of Police,
Gandamanur Police Station,
Theni District.
(Cr.No.90 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.M.Murugesan,Advocate

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

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

PRAYER :-

For Bail in Crime No.90 of 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.90

<https://www.mhc.tn.gov.in/judis>



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of 2024 for the offence under Sections 8(c), 20(b)(ii)(A) of NDPS Act and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, and remanded him into judicial custody on 25.05.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the petitioner and other accused were found in illegal possession of 45 grams of ganja. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he is languishing in jail from 25.05.2024. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail on the ground that the petitioner is having five previous cases to his credit.

5. The learned Counsel for the petitioner submits that one Vignesh who is running a Computer Centre at Aundipatti, Theni District, had filed an affidavit of



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undertaking that the petitioner will not involve in any offence in future. Further, he submits that the said Vignesh is ready to furnish surety also.

6. Considering the facts and circumstances of the case and also considering the affidavit of undertaking on behalf of the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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.1,00,000/- (Rupees One Lakh only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Andipatti, Theni 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 shall appear before the respondent police daily at 10.30 a.m. He has to co-operate for the investigation. The petitioner shall file an affidavit of undertaking before the respondent police that he will not indulge in any offence in future.

iv) The petitioner shall not misuse the liberty granted to him by indulging in



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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/-
12/07/2024

/ TRUE COPY /

12/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR
TO

- 1 THE JUDICIAL MAGISTRATE,
ANDIPATTI, THENI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE
GANDAMANUR POLICE STATION,
THENI DISTRICT,
- 4 THE OFFICER INCHARGE
DISTRICT PRISON, THENI DISTRICT.



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

ORDER
IN
CRL OP(MD) No.9984 of 2024
Date :12/07/2024

PKP/12.07.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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