



CRL OP(MD). No.11144 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/07/2024

PRESENT

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.11144 of 2024

Thandapani,

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul District.
Crime No. 242/2024.

... Respondent/Complainant

For Petitioner : M/s.S. Sivaprakash, Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 242 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

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



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police for the alleged offence punishable under Section 8C, r/w 20(b)(ii)(B), 29(1), 25 of NDPS Act, 1985 in Crime No.242 of 2024, dated 24.06.2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with the other accused were found in possession of 2 kgs and 300 gms of ganja. Hence, the case.

3.The learned counsel appearing for the petitioner submits that considering the antecedents of this petitioner, the earlier application filed by him was dismissed by this Court, on 27.06.2024. Now, this second petition has been moved by this petitioner that he will not indulge in any offence in future and an affidavit of 15th Ward Member of Athur Taluk with an assurance that the petitioner will not indulge in any offence in future has been filed before this Court.

4.The learned Government Advocate (Crl.side) appearing for the respondent police submits that the quantity of ganja involved in this case is 2 kgs and 300 gms of ganja. The petitioner has involved in three other cases, out of which, one case is similar in nature. An objection has been raised by the learned Government Advocate (Crl.side) that the CDR files collected by the Investigating Agency reveals that the petitioner has frequently contacted A1 and A2.

5.Considering the rival submissions made and also considering the fact that the petitioner has filed an affidavit of the 15th Ward Member of Athur Taluk with



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an assurance that the petitioner will not indulge in any offence in future and in order to provide one opportunity to the petitioner to reform himself, 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 Judicial Magistrate Court, Nilakkottai, 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 learned Judicial Magistrate, Nilakkottai, and on further conditions that:

- i. 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;
- ii. The petitioner along with the 15th Ward Member of Athur Taluk shall file a similar affidavit before the learned Judicial Magistrate, Nilakkottai.
- iii. The 15th Ward Member of Athur Taluk, who has given assurance that the petitioner will not indulge in any offence in future, is expected to give surety for a sum of Rs.1,00,000/- before the concerned Magistrate Court.
- iv. The petitioner shall appear before the respondent police as and when



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v. 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.

vi. On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail and shall take action for recovery of surety amount by filing necessary application before the concerned Magistrate Court.

sd/-
26/07/2024

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/ 08 /2024

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

VRN

TO

1. THE JUDICIAL MAGISTRATE, NILAKKOTTAI.

2. THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.



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3. THE INSPECTOR OF POLICE
PATTIVEERANPATTI POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.S.SIVA PRAKASH, Advocate (SR-8802[I] dated 29/07/2024)

ORDER
IN

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Date :26/07/2024

PSP/GS/SAR /06.08.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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