



CRL OP(MD). No.10459 of 2024

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

Date : 16/07/2024

PRESENT

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

CRL OP(MD). No.10459 of 2024

1. R.Sivanammal
2. A.Padma

... Petitioners/ Accused No.1 & 2

$$V_S$$

The Inspector of Police,
Sellur Police Station,
Madurai City.
(Cr.No.586/2024.)

... Respondent/Complainant

For Petitioners : M/s.Manimaran Na, 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. 586/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, who were arrested and remanded to judicial custody on 21.06.2024 for the offences punishable under Section 8(c) r/w Section 20(b)(ii)(A) and 29 (1) of NDPS Act and Section 77 of Juvenile Justice (Care and



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Protection of Children) Act, 2015, in Crime No.586 of 2024 on the file of the
respondent police, seek bail.

2.The case of the prosecution is that the petitioners were found in illegal possession of 300 grams of Ganja. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. However, he would further submit that the petitioners shall abide any condition imposed by this Court.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioners were found in illegal possession of 300 grams of Ganja. He would further submit that A1 is having 6 previous cases, A2 is having 4 previous cases and A3 is having four previous cases.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioners were found to be in possession of small quantity of ganja and considering the period of incarceration, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Madurai.



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(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(iii) the petitioners shall not tamper with evidence or witness;

iv) the petitioners shall not abscond during trial.

v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

vi) If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
16/07/2024

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16/07/2024
Sub-Assistant Registrar (A.E)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

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1.The Judicial Magistrate No.II,
Madurai.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
Sellur Police Station,
Madurai City.

4.The Superintendent,
Central Prison, Madurai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

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Date :16/07/2024

ED/ /SAR- (16/07/2024) 4P / 6 C

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