



CRL OP(MD). No.10670 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/08/2024

PRESENT

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

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T.Padithurai Paraman,

... Petitioner/ Accused No.4

Vs

**Inspector of Police,
Pew Theni Police Station,
Theni District.
Crime No. 1186 of 2023..**

... Respondent/Complainant

For Petitioner : M/.S Manimaran .Na, Advocate.

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

PETITION FOR ANTICIPATORY BAIL U/s 438 of B.N.S.S

PRAYER :-

ForAnticipatory Bail in Crime No.1186 of 2023 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

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



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for the offences punishable under Section 8(c) r/w 20(b)(ii)(B), 25 and 29(1) of NDPS Act in Crime No.1186 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 14.12.2023, the respondent police arrested the other accused and recovered 1.200 Kgs and 1.100 Kgs of ganja from them. Based on the confession of them, the petitioner has been implicated in this case. 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. Hence, he prays for anticipatory

4.The learned Additional Public Prosecutor appearing for the respondent police has strongly opposed to grant anticipatory bail to the petitioner. However, he would submit that no contraband was recovered from the petitioner. He would further submit that in this case, A1 and A2 were arrested and released on bail.

5. Considering the facts and circumstances of the case and also considering the fact that co-accused have already been released on bail and no contraband was seized from this 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



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arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Special Principal District and Sessions Judge for EC and NDPS Act cases, 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 Judge 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 Judge may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Judge/ 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



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P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
01/08/2024

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/ 08 /2024

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

SKN

TO

1. THE SPECIAL PRINCIPAL DISTRICT AND SESSIONS JUDGE FOR
EC AND NDPS ACT CASES, MADURAI.

2. INSPECTOR OF POLICE
PEW THENI POLICE STATION,
THENI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.10670 of 2024
Date :01/08/2024

PSP/JGB/SAR /14.08.2024/ 4P/ 4C

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