



CRL OP(MD). No.11103 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/07/2024

PRESENT

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

CRL OP(MD). No.11103 of 2024

Alageshan

... Petitioner/ Accused No.5

Vs

The Inspector of Police,
Sempatti Police Station,
Dindigul District,
Crime No.172/2024.

... Respondent/ Complainant

For Petitioner : M/s.Ebenezer Charles.T.J,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of B.N.S.S.

PRAYER :-

For Anticipatory Bail in Crime No.172/2024 on the file of the respondent police



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ORDER : The Court made the following order :-

The petitioner/A3 who apprehends arrest at the hands of the respondent police for the offences punishable under Section 8(C) r/w 20(b)(ii)(A) of NDPS Act and Section 77 of J.J. Act 2015 in Crime No.172 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 10 grams 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. Hence, he prays for anticipatory

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner was found in illegal possession of 10 gram ganja. However, he fairly conceded that the contraband recovered from the accused is comes under the small quantity and one previous case is pending against the petitioner.



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5. Considering the facts and circumstances of the case and also considering the facts that the petitioner was found to be in possession of small quantity of ganja, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Aathur, Dindigul 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;

(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;



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

(f) 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;

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

sd/-
23/07/2024

/ TRUE COPY /

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

SKN

TO

1. THE JUDICIAL MAGISTRATE, AATHUR, DINDIGUL

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.

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



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

+1 CC to M/s.T.J.EBENEZER CHARLES, Advocate (SR-8416[I] dated 24/07/2024)

ORDER
IN
CRL OP(MD) No.11103 of 2024
Date :23/07/2024

RK/VR (29/07/2024) 5P / 6C

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