



CRL OP(MD). No.11143 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/08/2024

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.11143 of 2024

Mani @ Veeramanikandan

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Authoor Police Station,
Thoothukudi District.
Crime No.213/2020

... Respondent/Complainant

For Petitioner : Mr.R.Maheswaran, Advocate
For Mr.C.Susikumar, Advocate
For Respondent : Mr.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

To enlarge the petitioner on bail in the event of his arrest in C.C.No.185/2023 on the file of Special Court NDPS Act, Madurai in Crime No.213 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard both sides.

2.The petitioner stands implicated for possession of intermediate quantity of



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ganja in Crime No.213 of 2020 registered on the file of Authoor Police Station, Thoothukudi District. The offences are Sections 8(c) and 20(b).(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3.It is true that the petitioner's earlier attempts to obtain anticipatory bail could not bear fruit. The question is whether this Court should entertain one more petition for anticipatory bail.

4.Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 which imposes restriction on the power to grant bail will not be applicable in this case because the petitioner is not accused of an offence involving commercial quantity.

5.The petitioner's earlier petitions were not dismissed on merits. More than anything else, final report has been filed and the case has been taken on file in C.C.No.185 of 2023 on the file of the Special Court for Narcotic Drugs and Psychotropic Substances Act Cases, Madurai. Summon has also been issued against the petitioner. In these circumstances, this Court can very well grant the relief of anticipatory bail to the petitioner.

6.The learned Government Advocate (Crl. Side) for the respondent police informs the Court that there are three previous cases registered against the petitioner. They are not arising under NDPS Act. The case arising under Section 307 of IPC has ended in acquittal. The murder case and a case arising under Section 506(ii) of IPC



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are pending.

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7. There is one impediment for the petitioner. The learned Government Advocate (Crl. Side) informs the Court that NBW has been issued against the petitioner and the next hearing date is 07.08.2024. The petitioner undertakes to surrender before the trial Court on 09.08.2024. His surrender shall be accepted and NBW shall be recalled by stipulating appropriate terms and conditions.

8. This criminal original petition is disposed of accordingly.

sd/-
07/08/2024

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07/08/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

IAS
TO

1 THE JUDGE,
SPECIAL COURT FOR NDPS ACT CASES,
MADURAI.

2 THE INSPECTOR OF POLICE,
AUTHOOR POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-9610[I] dated 07/08/2024)



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ORDER

IN

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Date :07/08/2024

RS//SAR-(07.08.2024) 4P 5C

Madurai Bench of Madras High Court is issuing
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