



CRL OP(MD).No.11672 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.08.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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Karthi @ Karthi Kumar

... Petitioner/ Accused No.2

Versus

The Inspector of Police,
Thiruthangal Police Station,
Virdhunagar District.
(Crime No.193 of 2024)

... Respondent/Complainant

For Petitioner : Mr.A.Samayaraja,
Advocate

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl. side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.193 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.193 of 2024, for the offence punishable under

Sections 8(C), 20(b)(ii)(A) & 25 of NDPS Act, 1985 and Section 77 of Juvenile Justice

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



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(Care and Protection of Children) Act, has filed this petition seeking bail.

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2.The case of the prosecution is that the petitioner was in possession of 20 grams of ganja. Hence, the case.

3.The learned Government Advocate (Crl.Side) appearing for the respondent strongly opposes for grant of anticipatory bail to the petitioner that considering the antecedent of the petitioner, this Court had dismissed the earlier application by order dated 24.06.2024. He further submits that the petitioner is having five previous cases to his credit.

4.Today, when the matter is taken up for consideration, the learned counsel appearing for the petitioner submits that one V.Thirupathi, Councillor of Ward 3 in Sivakasi Corporation, has come forward to file an undertaking affidavit that the petitioner will not indulge in any other offence in future. He has also filed an undertaking affidavit to that effect.

5.Considering the facts and circumstances of the case and also considering the undertaking affidavit filed by one V.Thirupathi that the petitioner will not indulge in any other offence in future, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of his arrest or on his appearance within a



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period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Sivakasi, on condition that

(i) the petitioner execute a bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Sivakasi,.

(ii) the sureties shall file separate affidavits before the concerned Judicial Magistrate as well as before the respondent Police that they will ensure that the petitioner will not involve in any further offence in future. Out of the two sureties, one surety shall be Mr.V.Thirupathi, Councillor of Ward 3 in Sivakasi Corporation, who filed undertaking affidavit before this Court.

(iii) The petitioner shall appear before the respondent Police daily at 10.30 a.m. until further orders. He has to co-operate for investigation.

(iv) The petitioner shall file an undertaking affidavit before the respondent Police and also before the concerned Judicial Magistrate that he will not indulge in any other offence in future.

(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. He shall be available for the trial as well.

(vi) On violation of any of the above conditions by the petitioner, the



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respondent police shall move an application for cancellation of the anticipatory bail.

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

jbr

TO

1 THE JUDICIAL MAGISTRATE NO.II, SIVAKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE INSPECTOR OF POLICE, THIRUTHANGAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

COPY TO

MR.V.THIRUPATHI, COUNCILLOR OF WARD 3, SIVAKASI CORPORATION,
52/ A2, AALAVOORANI, ANNA COLONY, THIRUTHANGAL - 626 130.

+1 CC to M/s.G.SAMAYARAJA, Advocate (SR-9419[I] dated 05/08/2024)

ORDER IN

CRL OP(MD) No.11672 of 2024

Date :02/08/2024

RS/GS/SAR-(20.08.2024) 4P 7C

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