



CRL OP(MD)No.11522 of 2024

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

Date : 30.07.2024

PRESENT

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

CRL OP(MD)No.11522 of 2024

Sivagurunathan

... Petitioner / Accused No.2

Vs

The Inspector of Police,
Kodaikanal Police Station,
Dindigul District.
(Crime No.247 of 2024)

... Respondent / Complainant

For Petitioner : Mr.K.R.Badurus Zaman, Advocate

For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Cr No.247 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 13.07.2024
for the offence punishable under Sections 8(c), 22(b), 29(1) NDPS Act, 1985 in



CRL OP(MD)No.11522 of 2024

Cr.No.247 of 2024 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the petitioner and other accused were found in illegal possession of 7 grams of addictive mushroom. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 13.07.2024, hence he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation is yet to be completed. However, he fairly conceded that no previous case is pending against the petitioner.

5.Considering the period of incarceration and also considering the fact that no bad antecedent is reported against the petitioner, this Court is inclined to grant bail to the petitioner on certain conditions.

6 Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 learned Judicial Magistrate, Kodaikanal.

[i] the sureties shall affix their photographs and Left thumb Impression in the surety bond and the Special Court/concerned Court may obtain a copy of their



CRL OP(MD)No.11522 of 2024

Aadhar card or Bank Pass Book to ensure their identity.

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[ii] The petitioner shall report before the respondent police daily at 10.30 a.m, until further orders;

[iii] the petitioner shall not tamper with evidence or witness;

[iv] the petitioner shall not abscond during trial.

[v] On breach of any of the aforesaid conditions, the learned Judicial 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].

[vii] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
30/07/2024

/ TRUE COPY /

31/07/2024
Sub-Assistant Registrar (A.E.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

To

1.The Judicial Magistrate, Kodaikanal.



CRL OP(MD)No.11522 of 2024

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

3.The Inspector of Police,
Kodaikonal Police Station,
Dindigul District.

4.The Officer Incharge,
District Prison, Dindigul.

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

+1 CC to M/s.K.R.BADURUS ZAMAN, Advocate (SR-8988[I] dated 30/07/2024)

ORDER

IN

CRL OP(MD) No.11522 of 2024

Date :30/07/2024

ED/ /SAR- (31/07/2024) 4P / 7C

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