



CRL OP(MD)No.11912 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 30.07.2024

PRESENT

The Hon`ble MR.JUSTICE AA.NAKKIRAN

CRL OP(MD)No.11912 of 2024

R.Selvakumar

... Petitioner/ Accused

Vs

The Inspector of Police,
Rameshwaranm Town Police Station,
Ramanathapuram District.
(Crime No.269 of 2019)

... Respondent/Complainant

For Petitioner : Mr.R.Rajan, Advocate
For Respondent : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.269 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 20(b)(ii)(B) NDPS Act in Cr.No.269 of 2019 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 2 kgs of ganja. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the



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prosecution.

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4.The learned Additional Public Prosecutor. for the respondent submits that the petitioner is having 11 previous case pending as against him.

5.Considering the facts and circumstances of this case and also considering the quantity involved in this case, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Special Court of NDPS Act, Pudukottai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand) 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;

(b)the petitioner shall report before Special Court of NDPS Act, Pudukottai daily at 10.30 am., until further orders;



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

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

(e)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;

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

sd/-
30/07/2024

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/08/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns
TO

1 THE JUDGE, SPECIAL COURT FOR NDPS ACT, PUDUKOTTAI.

2 THE INSPECTOR OF POLICE, RAMESHWARAM TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.

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



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+1 CC to M/s.R.RAJAN, Advocate (SR-9040[I] dated 31/07/2024)

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ORDER

IN

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Date :30/07/2024

RS/JGB/SAR-(12.08.2024) 4P 5C

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