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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.12016 of 2024

1.Ramarajananth

2.Swathick

... Petitioners

Vs

The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.
(In Crime No.294 of 2024)

... Respondent

For Petitioners : Mr.R.Alagumani

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.294 of 2024 on the file of the respondent Police.



ORDER : The Court made the following order :-

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The petitioners, who were arrested and remanded to judicial custody on 23.07.2024 for the offence punishable under Sections 8(c) r/w 20(b)(ii)(B) r/w 25 of the Narcotics Drugs and Psychotropic Substances Act, 1985 in Cr.No.294 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners were found in illegal possession of 1.100 kgs of ganja. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He would further submit that the petitioners are in judicial custody from 23.07.2024, hence they may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation is yet to be completed and the petitioners are having one previous case each to their credit.

5.Considering the period of incarceration and also considering the quantity involved in this case, this Court is inclined to grant bail to the petitioners on certain conditions.



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6 Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the Principal Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Madurai.

[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 Aadhar card or Bank Pass Book to ensure their identity.

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

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

[iv] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under

Section 229A IPC.

sd/-
30/07/2024

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/ /2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.The Principal Special Court
for Trial of Narcotic Drugs and Psychotropic
Substances Act Cases,
Madurai.

2. Do - Through:
The Chief Judicial Magistrate,
Madurai District.

3.The Superintendent,
District Jail,
Virudhunagar.

4.The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.

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



+1. CC to S.RAMESH KUMAR-MS/2757/2012 Advocate SR.No.

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ORDER
IN
CRL OP(MD) No.12016 of 2024
Date :30/07/2024

RE (31.07.2024) 5P/ 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.