



CRL OP(MD). No.13431 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13431 of 2024

Vasanthkumar

... Petitioner/ Accused No.1

Vs

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

... Respondent/Complainant

For Petitioner : M/s.S.Balaji Nivas, Advocate.

For Respondent : Mr.R.M.Anbunithi, Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 BNS / 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.247/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 13.07.2024 for the offences punishable under Sections 8(c) r/w.22(b) and 29(1) of Narcotics Drugs and Psychotropic Substances Act, 1985 in crime No.247 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein and the other accused have illegally found in possession of 24 grams of addictive mushroom. Hence the case.



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3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

4. Considering the fact that the petitioner is the first offender and considering the age of the petitioner that it is only 21 years and considering the fact that the co-accused is already released on bail, I am inclined to enlarge the petitioner on bail. However, it is the duty of the prosecution to see to that the petitioner is not again and again into the same trade. Considering the overall facts and circumstances of the case, the petitioner is enlarged on bail on condition that he stays in Coimbatore for a period of eight weeks.

5. 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 Principal Special Court for Narcotic Drugs and Psychotropic Substances Act Cases at Madurai.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall stay at Coimbatore and report before the Peelamedu



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Police Station, daily at 10.30 a.m for a period of eight weeks and thereafter, appear before the respondent Police as and when required for interrogation. If the petitioner gets any employment he can report before the Police either in the morning or in the evening as per the employment timings.

(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 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].

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

sd/-
16/08/2024

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16/08/2024

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

TRP



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TO

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1 THE JUDGE,
PRINCIPAL SPECIAL COURT FOR NARCOTIC DRUGS AND
PSYCHOTROPIC SUBSTANCES ACT CASES, MADURAI.

2 THE SUPERINTENDENT, DISTRICT PRISON, DINDIGUL.

3 THE INSPECTOR OF POLICE, KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.

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

COPY TO

THE INSPECTOR OF POLICE
PEELAMEDU POLICE STATION, COIMBATORE.

ORDER
IN

CRL OP(MD) No.13431 of 2024

Date :16/08/2024

RS//SAR-(16.08.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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