



CRL OP(MD). No.14013 of 2024

WEB COPY

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

Date : 27/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY
CRL OP(MD). No.14013 of 2024

Arun

... Petitioner/ Accused NO.A5

Vs

The Inspector of Police,
Kodaikanal Police Station,
Kodaikanal, Dindigul District
(Crime No. 307 of 2023).

... Respondent/Complainant

For Petitioner : M/s. Raja.Karthikeyan,
Advocate.

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

PRAYER :- For Bail in Crime No. 307 of 2023 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 13.04.2024 for the offences punishable under Sections 8(c), 22(c), 29(1) of NDPS Act, 1985, in crime No. 307 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and other accused were in illegal possession of 370 grams of magic mushroom.

3. Heard the learned counsel on either side and perused the material records of the case.



CRL OP(MD). No.14013 of 2024

WEB COPY

4. Considering the facts and circumstances of the case and also considering the fact that in this case, all the members of the same family were arrested on allegation of selling magic mushrooms (Psilocybine) and considering the fact that already this Court had transferred the investigation to the file of the CBCID, and that except this petitioner, all the other accused have been enlarged on bail, I am inclined to grant bail to the petitioner on certain conditions.

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 Special Court, NDPS Act, 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 report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained



by this court;
WEB COPY



CRL OP(MD). No.14013 of 2024

(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 229A IPC.

sd/-
27/08/2024

/ TRUE COPY /

27/08/2024
Sub-Assistant Registrar (CS-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Is

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



CRL OP(MD). No.14013 of 2024

TO
WEB COPY

1. The Judge, Special Court, NDPS Act, Madurai;
2. The Inspector of Police,
Kodaikanal Police Station,
Kodaikanal, Dindigul District
3. The Officer in charge,
District Prison, Dindigul.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1. CC to M/S. RAJA.KARTHIKEYAN Advocate SR.No.46405(F) dated 27.08.2024

ORDER
IN
CRL OP(MD) No.14013 of 2024
Date :27/08/2024

RK (27/08/2024) 4P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023