



CRL OP(MD). No.13491 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13491 of 2024

Guna,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Kodaikanal Police Station,
Dindigul.
Crime No. 242/2024.

... Respondent/Complainant

For Petitioner : M/s. Naresh Prabhu.A,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 242 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 07.07.2024 for the offences punishable under Sections 8(c) and 22(b) of NDPS Act, in Crime No.242 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 was found in possession of 5 grams of magic mushroom. Hence, the complaint.

3.Heard both sides.

4.Only considering the fact that in the present case, the quantity is 5 grams of magic mushroom, I am inclined to enlarge the petitioner on bail. However, it is made clear that if the petitioner is involved in cases of similar nature, not only the present case, then bail will be cancelled in every case pending against him.

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 Judicial Magistrate II, Kodaikanal, Dindigul District.

(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;

(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



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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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
19/08/2024

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19/08/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO

1 THE JUDICIAL MAGISTRATE NO.II,
KODAIKANAL, DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, DINDIGUL DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT PRISON DINDIGUL.

4 THE INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION,
DINDIGUL.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,

MADURAI

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



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ORDER
IN
CRL OP(MD) No.13491 of 2024
Date :19/08/2024

SA/SAR. /19.08.2024/4P/C

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