



CRL OP(MD). No.13529 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.13529 of 2024

Gowtham,

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Aundipatti Police Station,
Theni District.

Crime No. 310/2024.

... Respondent/ Complainant

For Petitioner : M/s Prabu.M,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 310 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 23.07.2024 for the offences punishable under Sections 8(c) and 20(b)(ii)(A) and 29(1) of NDPS Act and Section 77 of Juvenile Justice Act, 2015, in Crime No.310 of 2024 on



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the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the petitioner and the other accused were found in possession of 60 grams of Ganja. Hence, the complaint.

3.Heard both sides.

4.Considering the quantity of contraband recovered from the petitioner and also considering the facts that the petitioner had only one previous case under City Police Act and he is treated as the first offender, this Court is inclined to enlarge the petitioner on bail.

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, Aundipatti.

(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.



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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 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,
AUNDIPATTI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THENI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, THEKKAMPATTI, THENI DISTRICT.

4 THE INSPECTOR OF POLICE,
AUNDIPATTI POLICE STATION,
THENI DISTRICT.



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

ORDER
IN
CRL OP(MD) No.13529 of 2024
Date :19/08/2024

SA/SAR. /19.08.2024/4P/6C

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