



CRL OP(MD). No.13571 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13571 of 2024

Kumar,

... Petitioner/ Accused 1

Vs

**The Inspector of Police,
Eraniel Police Station,
Kanyakumari District.
Crime No. 323/2024.**

... Respondent/Complainant

For Petitioner : M/s. Sivakumar.S, Advocate.

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

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

For Bail in Crime No. 323 of 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 02.07.2024 for the offences punishable under Sections 8(c), 20(b)(ii)(A) and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in crime No.323 of 2024, on the file of the respondent police, seeks bail.



CRL OP(MD). No.13571 of 2024

WEB COPY

2. The case of the prosecution is that the petitioner along with other accused were in illegal possession of 50 grams of Ganja. Hence, the complaint.

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

4. Considering the facts and circumstances of the case and also considering the nature of allegation against the petitioner and considering the fact that till date, charge sheet is not being filed and that the petitioner is in judicial custody from 02.07.2024, 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 learned Judicial Magistrate, Eraniel;

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



CRL OP(MD). No.13571 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/-
02/09/2024

/ TRUE COPY /

/ 09 /2024

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

LS

TO

1 THE JUDICIAL MAGISTRATE
ERANIEL.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT.

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



CRL OP(MD). No.13571 of 2024

3 THE INSPECTOR OF POLICE
ERANIEL POLICE STATION,
KANYAKUMARI DISTRICT.

4 THE OFFICER INCHARGE
DISTRICT JAIL, NAGERCOIL.

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

+1 CC to M/s.S.SIVAKUMAR, Advocate (SR-10706[I] dated 02/09/2024)

ORDER
IN

CRL OP(MD) No.13571 of 2024

Date :02/09/2024

PSP/ /SAR /02.09.2024/ 4P/ 7C

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