



CRL OP(MD). No.13809 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13809 of 2024

Alla Pichai @ Prabu,

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
Thanjavur Town West Police Station,
Thanjavur District.
Cr.No.441 of 2024..

... Respondent/Complainant

For Petitioner : M/s. Karunakaran.K.M,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.441 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner/Accused, who was arrested and remanded to judicial custody on 21.07.2024 for the offences punishable under Sections 20(b)(ii)(B), 8(c) of NDPS Act, in crime No. 441 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein was found in possession of 1 Kilo 168 gms of Ganja. Hence, the case.

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 nature of allegations that the petitioner was also said to have been in unlawful possession of Ganja of 1.168 kilograms and considering the fact it is alleged that the petitioner ran away from the scene and has since been implicated on account of the confession of the co-accused and Considering the fact that the petitioner is in jail from 21/07/2024 and that till today, except for the confession, no other materials could be placed before this Court as against the petitioner and considering the fact that the petitioner has no previous antecedent with reference to



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NDPS case, I am inclined to enlarge the petitioner on bail.

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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.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Additional District Judge / Presiding Officer, Special Court under Essential Commodities Act, Thanjavur.

(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 appear 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
04/09/2024

/ TRUE COPY /

04/09/2024
Sub-Assistant Registrar (CO)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

- 1.The Additional District Judge / Presiding Officer, Special Court under Essential Commodities Act, Thanjavur.
2. The Officer in charge, Sub Jail, Thanjavur.
- 3.The Inspector of Police,
Thanjavur Town West Police Station,
Thanjavur District.



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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-10864[I] dated 04/09/2024)

ORDER
IN
CRL OP(MD) No.13809 of 2024
Date :04/09/2024

RK (04/09/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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