



CRL OP(MD). No.15441 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15441 of 2024

Suriya Prakash

... Petitioner/ Accused Rank.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Veerapandi Police Station,
Theni District.

Crime No. 265/2022.

... Respondent/Complainant

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

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No. 265 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(B), 25 and 29(1) of NDPS Act IPC, in Crime No.265 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the accused were found with illegal

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CRL OP(MD). No.15441 of 2024

possession of 2.100 grams of ganja. Hence, the complaint.

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3. It is contended by the learned Counsel for the petitioner that the petitioner was very much present in the same village and the respondent police never arrested him.

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

5. Considering that totally 2.1 kg of ganja was recovered from the other accused, considering the fact that the petitioner has also produced some proofs like photographs etc for his staying in the village and further considering the fact that now the charge sheet has been filed and without apprehending the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Principal Special Court For EC & NDPS Act Cases, Madurai, on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:



CRL OP(MD). No.15441 of 2024

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(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 am for a period of three weeks;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
04/10/2024

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/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.15441 of 2024

LR

TO

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1 THE PRINCIPAL SPECIAL JUDGE
FOR EC & NDPS ACT CASES, MADURAI.

2 THE INSPECTOR OF POLICE,
VEERAPANDI POLICE STATION,
THENI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.15441 of 2024

Date :04/10/2024

SA/MMS/SAR. /19.10.2024/4P/4C

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