



CRL OP(MD). No.15546 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 13.09.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15546 of 2024

1. A.Mohamed Faisel @ Muhamed Faisal

2. K.K.Harish @ Haris

... Petitioners/ A1 & A2

Vs

The Inspector of Police,  
Cumbum North Police Station,  
Tehni District.  
Cr.No.480 of 2016.

... Respondent/Complainant

For Petitioners : Mr.K.Dinesh  
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For bail in Crime No.480 of 2016 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who were arrested and remanded to judicial custody on



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02.09.2024 for the offences punishable under Sections 8(c) and 20(b)(ii)(B) of NDPS

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Act, 1985 in crime No.480 of 2016, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioners were in possession of 1.250 kgs of ganja. Hence, the complaint.

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

4.Considering the fact that the petitioners voluntarily surrendered before the trial court on 02.09.2024 and considering the fact that they are permanent residents of the address mentioned in the bail petition, i.e., Aluva, Ernakulam, Kerala and considering the fact that the said addresses have been verified and they are found to be in the same same address only and residing with their family, I am of the view that the petitioners can be enlarged on bail with certain conditions.

5.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each and one surety



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should be a family member of the petitioners, for a like sum to the satisfaction of the learned District and Sessions Judge, Communal Clash Cases Court, Madurai.

(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 trial Court on all hearing dates without fail.

[iii] the petitioners except the date of hearings in the trial Court, they shall report before the respondent police, at 10.30 am., once in a week, for a period of three months and thereafter, as and when required for interrogation.

(iv) the petitioners shall not tamper with evidence or witness;

(v) the petitioners shall not abscond during trial.

(vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance



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with law as if the conditions have been imposed and the petitioners 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].

(vii)If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-  
13/09/2024

/ TRUE COPY /

13/09/2024  
Sub-Assistant Registrar(AD II)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

JBR

TO

- 1 THE DISTRICT AND SESSIONS JUDGE,  
COMMUNAL CLASH CASES, MADURAI.
- 2 THE INSPECTOR OF POLICE,  
CUMBUM NORTH POLICE STATION,  
THENI DISTRICT.
- 3 THE SUPERINTENDENT,  
CENTRAL PRISON, MADURAI.
- 4 THE OFFICER INCHARGE,  
DISTRICT JAIL, THENI.



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

ORDER  
IN  
CRL OP(MD) No.15546 of 2024  
Date :13/09/2024

SS/SAR- /13/09/2024/5P/6C

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