



CRL OP(MD). No.16444 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 27/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Aswinkumar

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Represented by the Inspector of Police,
PEW - Theni,
Theni District
(Crime No.653/2024)

... Respondent/Complainant

For Petitioner : Mr.M.Shakulhameed, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.653 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on
25.07.2024 for the offences under Sections 8(c), 20(b)(ii)(A) and 29(1) of Narcotic



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Drugs & Psychotropic Substances Act, 1985 read with Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015 in Crime No.653 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on secret information, the respondent police and his men went to Kodangipatti near muthunagar bridge to conduct search. At that time, the petitioner herein was standing there with a plastic bag, and tried to escape after seeing the police personnels. Upon enquiry, it was found that the petitioner was in possession of 200 grams of Ganja. Thereafter, the respondent police lodged the complaint as against the petitioner and one other accused. Hence, this case.

3. Heard. Perused the materials available on record including the First Information Report.

4. Considering the nature of allegations that the petitioner was found to be in possession of 200 grams of Ganja, and considering the fact that the petitioner is in custody from 25.07.2024, and considering the fact that there are no bad antecedents as against the petitioner, and also considering the fact that he is only aged about 20 years, I am inclined to enlarge the petitioner on bail, subject to the following conditions:

5. Since the petitioner is addicted to drugs, I am also inclined to enlarge the



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petitioner on bail on condition that he should cooperate for the treatment regarding de-addiction of alcohol before the Government Rajaji Hospital De-addiction Centre in Madurai.

[a] Accordingly, the petitioner is ordered to be released on bail on condition to 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 learned Judicial Magistrate, Theni District, and on further conditions that:

[b] 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.

[c] the petitioner shall also report before the De-addiction Centre at Government Rajaji Hospital, Madurai, and shall co-operate for the treatment, and the said fact shall be overseen by the Investigating Officer.

[d] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period three weeks and thereafter, as and when required for interrogation.

[e] the petitioner shall not commit any offences of similar nature.

[f] the petitioner shall not abscond either during investigation or trial.

[g] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[h]On breach of any of the aforesaid conditions, the learned Judicial 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].

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
27/09/2024

/ TRUE COPY /

27/09/2024
Sub-Assistant Registrar (Judicial)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MKN

To

1.The Judicial Magistrate,
Theni District.

2.Do through the Chief Judicial Magistrate,
Theni District.

3.The Inspector of Police,
PEW-Theni,
Theni District.



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4.The Officer Incharge,
Thekkampatti Sub Jail,
Theni District.

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

Copy to:

The Officer Incharge,
De-Addiction Centre,
Government Rajaji Hospital, Madurai.

+1 CC to M/s.M.SHAKUL HAMEED, Advocate (SR-11895[I] dated 27/09/2024)

ORDER
IN
CRL OP(MD) No.16444 of 2024
Date :27/09/2024

ED/ /SAR- (27/09/2024) 5P / 8 C

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