



CRL OP(MD). No.16185 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16185 of 2024

Sanjay @ Sanjaykumar,

... Petitioner/ Accused 2

Vs

State of Tamil Nadu,
Represented by
Inspector of Police,
Palakkarai Police Station,
Trichy City.
(Crime No.432 of 2024).

... Respondent/ Complainant

For Petitioner : Veerapandiselvaraj S.,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No. 432 of 2024 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



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police for the offences punishable under Sections 123 of BNS, 2023 r/w. 18(C) Drugs and Cosmetics Act, 1940 in Crime.No.432 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein and other accused have given a psychotropic drugs to the defacto complainant and that she became addicted. Hence, the complaint.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent Police and perused the materials available on record.

4. Considering the nature of allegations against the petitioner that the petitioner and other youth while going for work used to take psychotropic substances in the form of tablet and injection and considering the fact that there are no other previous case as against the petitioner and that the petitioner is aged about 21 years and considering the argument of the learned counsel for the petitioner that without prejudice to his contentions, he will file an undertaking affidavit that he will take treatment in the De-addiction Ward, Thanjavur Medical College Hospital and co-operate for treatment, I am inclined to enlarge the petitioner on anticipatory bail.

5.Accordingly, 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 learned Judicial Magistrate No.V, Trichy on condition



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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:

(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) As per the undertaking given by the petitioner, the petitioner shall file an affidavit before the trial Court that he will take treatment in the De-addiction Ward, Thanjavur Medical College Hospital, and co-operate for treatment;

(c) the concerned Investigating Officer is directed to supervise the visit of the petitioner to the De-addiction Ward, Thanjavur Medical College Hospital;

(d) the petitioner shall report before the respondent police as and when required for interrogation;

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

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

(g) 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



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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;

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

sd/-
25/09/2024

/ TRUE COPY /

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

TRP

TO

1 THE JUDICIAL MAGISTRATE NO.V,
TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
PALAKKARAI POLICE STATION,
TRICHY CITY.

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

COPY TO:

THE OFFICER INCHARGE,
DE-ADDICTION WARD,

THANJAVUR MEDICAL COLLEGE HOSPITAL, THANJAVUR.

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



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+1 CC to M/s.S.VEERAPANDI SELVARAJ, Advocate (SR-11755[I] dated
25/09/2024)

ORDER
IN
CRL OP(MD) No.16185 of 2024
Date :25/09/2024

SA/MMS/SAR. /16.10.2024/5P/7C

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