



CRL OP(MD). No.16389 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

CRL OP(MD). No.16389 of 2024

Pitchaikani,

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep By,
The Sub Inspector of Police,
Nathampatti Police Station,
Virudhunagar District.
Cr.No.102 of 2024 .

... Respondent/ Complainant

For Petitioner : Mr.G.Thiruvarutselvan,
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.102 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent



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police for the offences punishable under Sections 8(C) r/w 20(b)(ii)(A) of NDPS Act and Section 77 of JJ Act in Crime No.102 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the respondent police intercepted the accused and 40 grams of Ganja along with his two wheeler bearing Registration No.TN 84 K 2347.

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

4.Considering the nature of allegations that the contraband involved is 40 grams and the petitioner is said to be implicated on the confession of A1, who is a juvenile and only considering the fact that there are no other previous antecedents to the petitioner, I am inclined to enlarge the petitioner on anticipatory bail, with certain conditions:

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the



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order copy made ready, before the learned District Munsif cum Judicial Magistrate, Vatharairupu, Virudhunagar District, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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] the petitioner shall also report before the **De-addiction Centre at Government Rajaji Hospital, Madurai** and in case they found any addiction, he shall co-operate for the treatment and the said fact shall be monitored by the investigating officer.

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



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

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

[f] 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].

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

/ TRUE COPY /

sd/-
27/09/2024
/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI



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TO

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- 1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, VATHARAI RUPU,
VIRUDHUNAGAR DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE SUB INSPECTOR OF POLICE,
NATHAMPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE DEAN,
GOVERNMENT RAJAJI HOSPITAL,
DE-ADDICTION CENTRE, MADURAI.

+1 CC to M/s.G.THIRUVARUTSELVAN, Advocate (SR-12038[I] dated
01/10/2024)

ORDER

IN

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Date :27/09/2024

SS/MMS/SAR- /16/10/2024/5P/7C

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