



CRL OP(MD). No.16679 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16679 of 2024

Subbaiah,

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Panagudi Police Station, Panagudi,
Tirunelveli District
(Crime No. 761 of 2024).

... Respondent/ Complainant

For Petitioner : M/s.N.Pragalathan,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

AB For Anticipatory Bail 761 of 2024 in Crime No. on the file of the respondent police



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ORDER : The Court made the following order :-

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The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 132, 351(3) of BNS, 2023 and Section 8(c), 20(b)(ii)(A) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime.No.761 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners herein and other accused were found in possession of 40 gms of Ganja. Hence, the complaint.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

4. Considering the fact that the petitioner along with the other accused said to be found in possession of 40 grams of ganja and that the petitioner ran away from the scene of occurrence and that there are no other antecedents as against the petitioner, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.



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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, Valliyoor, Thirunelveli 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 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) the petitioner shall report before the respondent police daily at 10.30 am for a period of three weeks and thereafter, as and when required for interrogation;

(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;



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(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/-
01/10/2024

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/10/2024

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

TRP

TO

1. The Judicial Magistrate, Valliyoor, Thirunelveli District
2. Do-Through The Chief Judicial Magistrate,
Thirunelveli District.
3. The Inspector of Police,
Panagudi Police Station, Panagudi,
Tirunelveli District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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WEB COPY +1 CC to M/s.N.PRAGALATHAN, Advocate (SR-12039[I] dated 01/10/2024)

ORDER
IN
CRL OP(MD) No.16679 of 2024
Date :01/10/2024

RK/MMS (17/10/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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