



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.17308 of 2024

M.Eswarapandiyar

... Petitioner/ A-3

Vs

The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District,
Crime No.380/2024.

... Respondent/ Complainant

For Petitioner : M/s.M.Anbarasi,
Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.380/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who is arrested and remanded to judicial custody on 23.09.2024 for the offence punishable under Section 8(c), 20(b)(ii)(A) of NDPS Act, and Section 77 of The Juvenile Justice (Care and Protection of Children) Act, 2015, in

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



Crime No.380 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused were found to be in illegal possession of 150 grams of ganja. Hence, the complaint.

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

4.Considering the nature of allegation in this case that the petitioner was found to be in position 150 grams of ganja and that he has got one previous case and also considering the fact that the petitioner is in judicial custody from 23.09.2024 and the other accused being released by the trial Court itself, I am inclined to enlarge the petitioner on bail with certain conditions.

5.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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, Thirumangalam;

(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 respondent police daily at 10.30 a.m.,for a period of three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period



will be entertained by this court;

(iii) the petitioner shall not tamper with evidence or witness;

(iv) the petitioner shall not abscond during trial.

(v) 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].

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

sd/-

24/10/2024

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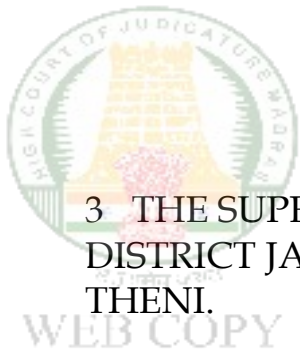
/ /2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, MADURAI
DISTRICT.



3 THE SUPERINTENDENT,
DISTRICT JAIL,
THENI.

4 THE INSPECTOR OF POLICE,
THIRUMANGALAM TOWN POLICE STATION, MADURAI
DISTRICT.

+1 CC to M/s.M.ANBARASI, Advocate (SR-13045[I] dated 24/10/2024)

ORDER
IN
CRL OP(MD) No.17308 of 2024
Date :24/10/2024

BV (24/10/2024) 4P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.