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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18104 of 2024

Karthik,

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Dhalavaipuram Police Station,
Virudhunagar District.
(Crime No.218 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.D.Rajaboopathy,
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.218 of 2023 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 police for the offences punishable under Sections 8(C) and 20(b)(ii)A of Narcotic



Drugs and Psychotropic Substances Act, 1985 and 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.218 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused were found in illegal possession of 50 grams of Ganja.

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

4.Considering the nature of allegations in this case that A1 from whom 50 grams of Ganja is recovered, is said to have pointed out fingers towards this accused and A3 that they only supplied Ganja and considering the over all facts and circumstances of the case, 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 order copy made ready, before the learned Judicial Magistrate Court, Rajapalayam, 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 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.

[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.

[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].

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

sd/-

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

SJI

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TO

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1. The Judicial Magistrate,
Rajapalayam, Virudhunagar District.
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District.
3. The Inspector of Police,
Dhalavaipuram Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.D.RAJABOOPATHY, Advocate (SR-13346[I] dated 29/10/2024)

CRL OP(MD) No.18104 of 2024
Date :25/10/2024

KVL/18.11.2024 4P/6C

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