



CRL OP(MD). No.17995 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17995 of 2024

Gajendran

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Periyakulam Police Station,
Theni District.
Crime No.201/2024

... Respondent/Complainant

For Petitioner : Mr.S.M.Anantha Murugan, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.201/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 21.09.2024 for the offences punishable under Sections 8(c), 20(b)(ii)(A), 29(1) of NDPS Act and Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015 in Crime No. 201 of 2024 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner herein was found to be in possession of 19 grms of Ganja. Hence, the case.

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

4. Considering the nature of allegation against the petitioner that the petitioner was found to be in possession of 19 grams of Ganja and the petitioner is only 22 years of age and at this young age, if he is further allowed to drift towards ganja and other materials his future will be spoiled. Considering the over all facts and circumstances of the case and also taking into consideration of the fact that the petitioner is only working as a daily labour, I am inclined to enlarge the petitioner on bail, but however, 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, Periyakulam.

(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;



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(ii) The petitioner shall stay at Thiruppur and report before the Inspector of Police, Town police station, Thiruppur daily at 10.30 am for a period of two months.

But the petitioner shall also try to secure job and the Investigating officer as well as the Inspector of police, Thiruppur police station shall also monitor whether the petitioner goes for work.

(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 229-A IPC.

sd/-
21/10/2024
/ TRUE COPY /

21/10/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP



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TO

WEB COPY

1 THE JUDICIAL MAGISTRATE, PERIAYAKULAM.

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

3 THE OFFICER INCHARGE, DISTRICT SUB JAIL, PERIYAKULAM,
THENI DISTRICT.

4 THE INSPECTOR OF POLICE, PERIYAKULAM POLICE STATION,
THENI DISTRICT.

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

COPY TO

THE INSPECTOR OF POLICE, TOWN POLICE STATION, THIRUPPUR.

+1 CC to M/s.S.M.ANANTHA MURUGAN, Advocate (SR-12832[I] dated
21/10/2024)

ORDER

IN

CRL OP(MD) No.17995 of 2024

Date :21/10/2024

RS//SAR-(21.10.2024) 4P 8C

Madurai Bench of Madras High Court is issuing
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