



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

WEB COPY

Date : 24/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18379 of 2024

Johnson Alis Sura Jhonson,
S/o Kennady,
16/2 Sunami Colony,
Alanthalai, Thiruchendur,
Thoothukudi District..

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.
Crime No. 275/2024.

... Respondent/Complainant

For Petitioner : Mr.K.K.Samy,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

C-32B. For Bail in Crime No. 275 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on

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



19.09.2024 for the offences punishable under Sections 8(C) & 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.275 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 persons were found in illegal possession of 1.100 kgs of ganja. Hence, the complaint.

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

4. Considering the nature of allegations in this case that the petitioner and the other accused were said to be in possession of 2.2kgs of Ganja and considering the fact that the petitioner is in custody from 19.09.2024 and the co-accused, who is similarly placed has more previous cases than the petitioner, having been granted bail by the trial Court on 19.10.2024, even though the present petitioner has got eight previous cases, I am inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to 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 learned Judicial Special Judge for Narcotic Drugs Psychotropic Substances Act Cases, Madurai, and on further conditions that:

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[b] 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.

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

[d] the petitioner shall not commit any offences of similar nature.

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

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

[g] On breach of any of the aforesaid conditions, the learned Judicial 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].



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

sd/-
24/10/2024

/ TRUE COPY /

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

TO

- 1 THE SPECIAL JUDGE FOR NARCOTIC DRUGS PSYCHOTROPIC SUBSTANCES ACT CASES, MADURAI.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
- 3 THE INSPECTOR OF POLICE, TIRUCHENDUR
POLICE STATION, THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD) No.18379 of 2024
Date :24/10/2024

BV (24/10/2024) 4P/ 5C

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