



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.18375 of 2024

Sankar

... Petitioner/ Accused

Vs

The Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District,
Crime No.471/2024.

... Respondent/Complainant

For Petitioner : Mr.K.Palmurugan,
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.471/2024 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 11.10.2024 for the offence punishable under Sections 132, 351(3) of BNS and Section



20(b)(ii)(A), 8(c) of NDPS Act, 1985 and Section 4(1)(C) of Tamil Nadu Prohibition (Amendment) Act, 1985 and Section 25(1A) of Arms Act, 1959, in Crime No.471 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioner was found to be in illegal possession of 500 grams of ganja and also abused the defacto complainant in filthy language and threatened him with dire consequences. 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 along with other accused was found to be in position of 50 grams of ganja and the allegation against the petitioner is that he also supplied arms to the other accused like Aruval and also considering the argument of the learned Counsel for the petitioner that he is having a workshop, 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 No.III, Tirunelveli District;

(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

/ TRUE COPY /

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



1 THE JUDICIAL MAGISTRATE NO.III,
TIRUNELVELI DISTRICT.

2.THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.

3.THE INSPECTOR OF POLICE,
THALAIYUTHU POLICE STATION,
THIRUNELVELI DISTRICT.

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

+1. CC to K.PALMURUGAN Advocate SR.No.13092[I] Dated 24/10/2024

ORDER IN
CRL OP(MD) No.18375 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.