



CRL OP(MD). No.18859 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 28/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18859 of 2024

Prasanna

... Petitioner/ Accused No.3

Vs

The State represented by
The Inspector of Police,
Anna Nagar Police Station,
Madurai, Madurai District.
(In Crime No.451 of 2024)

... Respondent/Complainant

For Petitioner : M/s.T. Gopala Krishnan, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.451/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on
10.07.2024 for the offences punishable under Sections 8(c) r/w Section 20(b)(ii)(c), 25



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and 29(1) of NDPS Act, in crime No.451 of 2024 on the file of the respondent police,
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seeks bail.

2.The case of the prosecution is that the petitioner and the other accused were found in illegal possession of 21 kgs of Ganja. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations in this case that the petitioner along with the other persons were found to be in possession of a commercial quantity of ganja and considering the fact that the petitioner was arrested only on 10.07.2024, and that the investigation is still pending, this is not a fit case for enlarging the petitioner on bail.

5. At this stage, the learned counsel for the petitioner would submit that the petitioner married one Nandini and since it is a love marriage, the said wife is all alone, who is pregnant and there is nobody to take care of her.

6. The learned counsel would plead before this court at least to enlarge the petitioner on interim bail for the baby-shower function as well as for the delivery of his wife.

7. As far as the baby-shower function, the same cannot be considered by this Court.

8. The investigating officer is required to verify whether the said wife of the



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petitioner is all alone and if necessary, the help of the Social Welfare Department can be requested and adequate care and protection can be given to the pregnant woman, so that, she delivers the child safely. When a baby is born, then the petitioner can be taken to the hospital with the escort to be alongside the wife and child for some time and he can be brought to jail on the same day.

9. The petitioner shall make such a request to the concerned jail Superintendent, who will in co-ordination with the Investigating Officer will permit the above as and when the child is born. So, except for the above observation, the prayer for the petitioner to grant interim bail cannot be accepted.

10. In view of the difficulties expressed by the learned counsel for the petitioner, since he seeks urgent interim bail, the lower Court could not be moved. Hence, this petition for interim bail is filed by the petitioner, the registry is directed to number this petition.

11. With the above directions, this Criminal Original Petition is dismissed.

sd/-
28/10/2024

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/11/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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DSS
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To

1.The Inspector of Police,
Anna Nagar Police Station,
Madurai, Madurai District.

2.The Superintendent,
Central Prison, Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.18859 of 2024
Date :28/10/2024

ED/ SSN /SAR- (13/11/2024) 4P / 5C

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