



CRL OP(MD) Nos.19197 of 19481 of 2024

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

Date : 12/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). Nos.19197 and 19481 of 2024

Sadhik @ Sathick

... Petitioner/ Accused No.2  
in CrI.O.P(MD) No.19197 of 2024

Vibin Babu

... Petitioner/ Accused No.1  
in CrI.O.P(MD) No.19481 of 2024

Vs

The State of Tamilnadu,  
Rep. by the Inspector of Police,  
Marthandam Police Station,  
Kanyakumari District.  
Crime No. 402/2024.

... Respondent/ Complainant  
in both petitions

For Petitioners : Mr.S.Vidhya Sagar, Advocate  
(in CRL OP(MD)No.19197 of 2024)

: Mr.G.Ramanathan, Advocate  
(in CRL OP(MD)No.19481 of 2024)

For Respondent : Mr.B.THANGA ARAVINDH,  
Government Advocate  
(in both the petitions)

PETITIONS FOR BAIL Under Sec.483 of BNSS



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COMMON PRAYER :-

WEB COPY For Bail in Crime No.402 of 2024 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/Accused, who were arrested and remanded to judicial custody on 09.10.2024 for the offences under Section 8(c) r/w 20(b)(ii)(B) of NDPS Act r/w 123 of BNS Act in Crime No.402 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the accused persons were found in possession of 500 grams of ganja. When they saw the Police, they tried to flee away from the occurrence place and they were apprehended and the ganja was seized.

3. When the matter came up for hearing on 07.11.2024, this Court had directed the learned Additional Public Prosecutor to take instructions from Kerala as to whether there are any previous cases against the petitioners, since a stand was taken to the effect that they are drug peddlers and they were coming from Kerala to supply ganja in Tamil Nadu.

4. When the matter was taken up for hearing today, the learned Additional Public Prosecutor submitted that there are no previous cases against the petitioners in Kerala. A report received from the Superintendent of Police, Thiruvananthapuram was placed before this Court.



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5. Heard the learned counsel appearing for the petitioners and the learned learned Additional Public Prosecutor appearing for the respondent.

6. Taking into consideration the facts and circumstances of the case and considering the quantity of contraband involved in this case and also taking into consideration the fact that there are no previous cases against the petitioners and the petitioners have suffered incarceration from 09.10.2024, this Court is inclined to grant bail to the petitioners subject to the following conditions.

7. Accordingly, the criminal original petition is ordered and the petitioners are ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, No.I, Kulithalai, and on further conditions that:-

[a] 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 petitioners shall report before the respondent police daily at 05.30 p.m., until further orders;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;



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trial;

[d] the petitioners shall not abscond either during investigation or

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-  
12/11/2024

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12 / 11 / 2024

Sub-Assistant Registrar  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

PNM

TO

1 THE JUDICIAL MAGISTRATE, NO.I,  
KULITHALAI.



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2. DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE,  
KANYAKUMARI DISTRICT AT NAGERCOIL.

3 THE OFFICER INCHARGE  
DISTRICT PRISON, NAGERCOIL.

4 THE INSPECTOR OF POLICE,  
MARTHANDAM POLICE STATION,  
KANYAKUMARI DISTRICT.

5 THE OFFICER INCHARGE  
SUB JAIL , NAGERCOIL.

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

+1. CC to VIDHYA SAGAR S Advocate SR.No.13877(I) dated 12/11/2024

+1 CC to M/s.G.RAMANATHAN, Advocate ( SR-13865[I] dated 12/11/2024 )

ORDER

IN

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Date :12/11/2024

ED/ /SAR- (12/11/2024) 5P / 9 C

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