



CRL OP(MD). No.19717 of 2024

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

Date : 15/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Nallathai

... Petitioner/ Accused No.4

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District,
(In Crime No. 419 of 2024.)

... Respondent/Complainant

For Petitioner : M/s. Samy.K.K, Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 419 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on
12.09.2024 for the offences under Section 4(1)(C) of Tamil Nadu Prohibition



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(Amendment) Act, 2024 and Sections 8(c) and 20(b)(ii)(B) of NDPS Act in Crime No.419 of 2024 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the police apprehended A1 and A2 and they were found in possession of 3.5 kgs of Ganja. On their confession, A3 and A4, who are husband and wife were added as accused. On searching A3 and A4, the respondent police recovered 4.5 Kgs of Ganja. The specific case of the prosecution is that A1 and A2 confessed that they procure the Ganja only from A3 and A4 and money has also been paid to G-pay account of A4.

3. Heard the learned Counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police.

4. Taking into consideration the facts and circumstances of the case and also considering the fact that the quantity involved in this case is 11.100 Kg, which is an in between quantity and considering the fact that the petitioner has suffered incarceration from 12.09.2024 onwards and there are no previous cases pending against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions.

5. Accordingly, the criminal original petition is ordered 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



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learned Presiding Officer, the Principal Special Court for NDPS Act Cases, Madurai, and on further conditions that:-

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[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Presiding Officer may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police every Monday and Friday at 10.30 a.m until further orders except on the days when the case is posted for hearing before the trial Court.

[c] the petitioner shall appear before the trial Court during every hearing date without fail.

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

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

[f] 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].



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[g] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 229A IPC.

sd/-
15/11/2024

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/11/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

To

1.The Presiding Officer,
Principal Special Court for NDPS Act Cases, Madurai.

2.The Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District.

3.The Officer Incharge,
Sub Jail, Kokkirakulam,
Tirunelveli District.

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

ORDER
IN
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Date :15/11/2024



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