



CRL OP(MD). No.19339 of 2024

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

Date : 11/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19339 of 2024

Alaguraja @ Eli

... Petitioner/ Accused NO.3

Vs

The State Rep by the Inspector of Police,
Varasanadu Police Station,
Theni District.
(Crime No.113/2024.)

... Respondent/Complainant

For Petitioner : M/s.Sivaprakash.S, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.113/2024 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 21.10.2024 for the offences under Sections 8(c) r/w 20(b)(ii)(A) and 29(1) of NDPS



CRL OP(MD). No.19339 of 2024

Act and Section 77 of The Juvenile Justice (Care and Protection of Children) Act in
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Crime No.113 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons were found in possession of 60 grams of Ganja. There are totally four accused persons in this case and the petitioner has been arrayed as A3.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that there are two previous cases pending against the petitioner for the similar offence and that initially, the petitioner filed a petition seeking anticipatory bail before this Court, which was dismissed by order dated 18.10.2024 and thereafter, the petitioner surrendered before the trial Court and he was remanded to judicial custody on 21.10.2024.

4. The learned Counsel appearing for the petitioner submitted that all the other accused persons have been enlarged on bail. The learned Counsel further submitted that the petitioner has been falsely roped in this case.

5. Taking into consideration the facts and circumstances of the case and also considering the quantity involved in this case and considering the fact that all the other accused persons have been enlarged on bail, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the criminal original petition is ordered and the petitioner is



CRL OP(MD). No.19339 of 2024

WEB COPY

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, Andipatti, Theni District, 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 petitioner shall report before the respondent police daily at 10.30 a.m for a period of three weeks, except on the days when the case is posted for hearing before the trial Court and thereafter, as and when required for interrogation.

[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



CRL OP(MD). No.19339 of 2024

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
Section 229A IPC.

sd/-
11/11/2024

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

LR

To

1.The Judicial Magistrate,
Andipatti, Theni District.

2.Do through the Chief Judicial Magistrate,
Theni District.

3.The Inspector of Police,
Varasanadu Police Station,
Theni District.

4.The Officer Incharge,
District Jail, Theni,
Theni District.

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

+1 CC to M/s.S.SIVA PRAKASH, Advocate (SR-13806[I] dated 11/11/2024)



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CRL OP(MD). No.19339 of 2024

ORDER
IN
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Date :11/11/2024

ED/ SKN /SAR- (11/11/2024) 5P / 7C

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