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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/11/2024

PRESENT

The Hon`ble Mr.Justice **N.ANAND VENKATESH**

CRL OP(MD). No.19441 of 2024

J.Murugan @ Selvam

... Petitioner/ Accused No.6

Vs

State of Tamil Nadu Rep By,
The Inspector of Police,
Soorankudi Police Station,
Thoothukudi District.
Crime No.142/2022.

... Respondent/ Complainant

For Petitioner : M/s.Manimaran.Na,

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

To enlarge the petitioners on bail in the event of their arrest by the respondent police for the Petitioner/ Accused No.6 in Crime No.142/2022 in C.C.No.96/2024 in Special Principal District and Session Judge for EC and NDPS Court, Madurai on the file of the respondent police.



ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 8(c) r/w Section 20(b)(ii)(c), 25 and 29(i) of NDPS Act in Crime No.142 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons were found in possession of 540 Kgs of Ganja. There are totally 20 accused persons in this case, out of which, 11 accused persons alone faced trial in C.C.No.991 of 2023 and they were all acquitted by the Special Court by judgment dated 23.10.2023. For the remaining accused persons, the case was split up and it is pending in C.C.No.96 of 2024. The petitioner has been arrayed as A6.

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

4.It is brought to the notice of this Court that the anticipatory bail petition filed by the other accused persons, who are similarly placed was allowed by this Court.

5.Taking into consideration of the orders passed granting anticipatory bail to the other accused persons, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is ordered and the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before



the learned Special Principal District and Session Judge (For EC and NDPS Act cases),

Madurai, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner and 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.

[c] the petitioner shall report before the **respondent police daily at 10.30 a.m for a period of two weeks** and thereafter, as and when required for interrogation.

[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]*; and;

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[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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

LR

TO

1. The Special Principal District and
Session Judge For EC and NDPS Act cases,
Madurai.
2. The Inspector of Police,
Soorankudi Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.19441 of 2024

Date :13/11/2024

KVL (26.11.2024) 4P/ 4C

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