



CRL OP(MD). No.20005 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Sakthi Prabakaran @ Prabakaran

... Petitioner / Accused No.3

Vs

The State of Tamil Nadu
Represented by the Sub-Inspector of Police,
Tenkasi Police Station,
Tenkasi District.
(Crime No.534 of 2022)

... Respondent/Complainant

For Petitioner : Ms.N.Juliet Latha,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :- For Anticipatory Bail in Crime No.534/2022 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 offences under Sections 8(c), 20(b)(ii)B of the NDPS Act, 1985 and Section



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489C of IPC, in Crime No.534 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 and A2 were found in possession of 4 Kgs of ganja. On enquiry, it came to light that other accused persons are also involved in this case. Thus, there are totally 10 accused persons in this case and the petitioner has been arrayed as A3. In the instant case, A1, A2, A6 and A8 were arrested and later enlarged on bail.

3. The learned Additional Public Prosecutor (Criminal Side), on instructions, submitted that there are 13 previous cases against the petitioner which involves IPC offences. He further submitted that the petitioner is absconding from the year 2022 and he was not able to secured.

4. The learned counsel for the petitioner submitted that a false case has been foisted against the petitioner and that the petitioner was not even aware of the fact that a case was registered against him in the year 2022.

5. Heard the learned counsel on either side and perused the material records of the case.

6. Taking into consideration the facts and circumstances of the case and considering the fact that there are no previous cases against the petitioner involving NDPS offence and also considering the fact that the case pertains to the year 2022 and



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the ganja has already been seized, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Principal EC NDPS Court, 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] 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.

[b] the petitioner shall report before the respondent police daily at 05.30 p.m. until further orders.

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

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

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial



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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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
19/11/2024

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

PAL
TO
1 THE JUDGE,
PRINCIPAL EC NDPS COURT, MADURAI.

2 THE SUB-INSPECTOR OF POLICE,
TENKASI POLICE STATION,
TENKASI DISTRICT.

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

+1 CC to M/s.N.JULIET LATHA, Advocate (SR-14204[I] dated 19/11/2024)



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ORDER
IN
CRL OP(MD) No.20005 of 2024
Date :19/11/2024

SA/SAR. /25.11.2024/5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.