



CRL OP(MD). Nos.20391, 20393 and 20399 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). Nos.20391, 20393 and 20399 of 2024

Mathavan

... Petitioner/ A3 in
Crl.O.P(MD)No.20391/2024

Mahendran

... Petitioner/ A4 in
Crl.O.P(MD)No.20393/2024

Malairaj

... Petitioner/ A2 in
Crl.O.P(MD)No.20399/2024

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
PEW Thoothukudi Police Station,
Thoothukudi District.
Crime No. 436/2024.

... Respondent/Complainant
(in all the cases)

For Petitioners : Mr.S.Vishnuvardhan,
(for all the cases)

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). Nos.20391, 20393 and 20399 of 2024

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor
(for all the cases)

PETITIONS FOR BAIL Under Sec.483 of BNSS

COMMON PRAYER :- For Bail in Crime No.436 of 2024 on the file of the respondent police.

COMMON ORDER : The Court made the following order :-

The petitioners/A3, A4 & A2, who were arrested and remanded to judicial custody on 26.10.2024 for the offences under Sections 8(c), 20(b)(ii)(A), 25 and 29(1) of NDPS Act and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015 in Crime No.436 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 total possession of 147 grams of Ganja. There are totally four accused persons in this case and the petitioners have been arrayed as A3, A4 and A2 respectively. A3 and A4 were found in possession of 5 grams of Ganja (each) and A2 was found in possession of 47 grams of Ganja.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that insofar as A3, there is one previous case pending against him for IPC offence and there are two previous cases pending against A2, which are also IPC offences. There are no previous cases pending against A4.



4. Heard the learned Counsel appearing on either side.

WEB COPY

5. Taking into consideration the facts and circumstances of the case and the quantity that is involved in this case and also considering the fact that the petitioners have suffered incarceration from 26.10.2024 and considering the previous cases pending against A3 and A2, this Court is inclined to grant bail to the petitioners subject to the following conditions.

6. Accordingly, these criminal original petitions are ordered and the petitioners are ordered to be released on bail on their 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.III, Thoothukudi, 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 every Friday at 05.30 p.m until further orders.

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

[d] the petitioners shall not tamper with evidence or witness either during



investigation or trial.

WEB COPY

[e] the petitioners 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 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].

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

sd/-
22/11/2024

/ TRUE COPY /

/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 NO.III
THOOTHUKUDI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, PERURANI,
THOOTHUKUDI.



CRL OP(MD). Nos.20391, 20393 and 20399 of 2024

4 THE INSPECTOR OF POLICE,
PEW THOOTHUKUDI POLICE STATION,
THOOTHUKUDI DISTRICT.

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

ORDER
IN
CRL OP(MD). Nos.20391, 20393 and 20399 of 2024
Date :22/11/2024

SA/SAR. /22.11.2024/5P/6C

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