



CRL OP(MD). No.21260 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Lakshmanan

... Petitioner/ Accused 2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli City,
Tirunelveli District.
Crime No.280/2024.

... Respondent/ Complainant

For Petitioner : Mr.V.Angusamy, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 280 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 09.11.2024 for the offences under Sections 8(c), 20(b)(ii)(B), 29(1) of NDPS



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Act in Crime No.280 of 2024 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that based on a secret information received over phone on 09.11.2024, the Police team went to the spot and found three persons. On seeing the Police party, they tried to escape. A2 and A3 were apprehended. They were found in possession of 1 kg 300 grams.

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

4.The learned Additional Public Prosecutor submitted that the petitioner was arrested and remanded to judicial custody from 09.11.2024. He further submitted that there are six previous cases, out of which, three previous cases for the offence under NDPS Act and three previous cases for offence under IPC, against the petitioner. Therefore, the learned Additional Public Prosecutor vehemently opposed grant of bail to the petitioner.

5.The learned counsel for the petitioner submitted that considering the previous cases, a false case has been foisted against him. He was not in possession of ganja as alleged by the respondent Police.

6. Taking into consideration the facts and circumstances of the case and considering the age of the petitioner and taking note of the fact that the petitioner has suffered incarceration from 09.11.2024, this Court is inclined to grant bail to the



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petitioner with certain conditions:

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7. 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 learned Sessions Judge, Special Court for NDPS Cases, Madurai, and on further conditions that:-

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

[b] the petitioner shall report before the learned Sessions Judge, Special Court for NDPS Cases, Madurai on every Monday and Friday at 10.30 a.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 Judge/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed



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and the petitioner released on bail by the learned Judge/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 Act.

sd/-
05/12/2024

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05/12/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

1 THE SESSIONS JUDGE
SPECIAL COURT FOR NDPS CASES, MADURAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

3 THE INSPECTOR OF POLICE,
TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELI CITY,
TIRUNELVELI DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.21260 of 2024
Date :05/12/2024

SA/SAR. /05.12.2024/5P/C

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