



CRL OP(MD). No.20852 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Ashokkumar

... Petitioner / Accused No.4

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
PEW Uthamapalayam Police Station,
Uthamapalayam,
Theni District.
(Crime No.161 of 2024)

... Respondent/Complainant

For Petitioner : Mr.M.Karuppasamypandian,
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. 161 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

<https://www.mhc.tn.gov.in/judis> The petitioner, who apprehends arrest at the hands of the respondent police for



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the alleged offences under Sections 8(c), 20(b)(ii)(B) r/w. 25 and 29(1) of NDPS Act, in Crime No.161 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that based on the secret information, A1 to A3 were found in possession of 3.100 Kgs of ganja. The contraband was seized and they were also arrested and remanded to judicial custody. Based on the confession of A3, the petitioner has been arrayed as an accused (A4).

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

4. Taking into consideration the facts and circumstances of the case and considering the fact that the contraband has been seized by the respondent police and A1 to A3 were also arrested and the petitioner is added as an accused only based on the confession of the co-accused and there are no previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. 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 Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand



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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 on every Monday and Friday at 5.30 p.m. for a period of 6 weeks and thereafter, as and when required for interrogation.

[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 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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 269 of BNS, 2023.

sd/-
29/11/2024

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

PAL
TO

1 THE PRINCIPAL SPECIAL JUDGE FOR TRIAL OF
NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES ACT CASES,
MADURAI.

2 THE INSPECTOR OF POLICE,
PEW UTHAMAPALAYAM POLICE STATION,
UTHAMAPALAYAM,
THENI DISTRICT.

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

+1 CC to M/s.M.KARUPPASAMY PANDIAN, Advocate (SR-14734[I] dated
29/11/2024)



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ORDER
IN
CRL OP(MD) No.20852 of 2024
Date :29/11/2024

SA/VR/SAR. /05.12.2024/5P/C

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