



CRL OP(MD). No.20836 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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Lithishkumar

... Petitioner / Accused No.2

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Karimedu Police Station,
Madurai District.
(Crime No.576 of 2024)

... Respondent / Complainant

For Petitioner : Mr.S.Muthukumar, Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor (Criminal Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 576 of 2024 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



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for the alleged offences under Sections 8(c), 22(b) and 20(b)(ii)(A) of NDPS Act, 1985 and Section 123 of BNS, 2023, in Crime No.576 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 14.11.2024 at about 1.30 p.m., when the police was carrying out the regular patrol duty, A1 was found in possession of 70 grams of ganja, Tapentadol tablet 100 mg 400 tablets, Alprazolam tablet 0.5 mg 5 tablets and Nitrazepan tablets 10mg 4 tablets. Out of these contrabands, ganja, Alprazolam and Nitrazepan are considered to be narcotic drugs and psychotropic substances. A1 was arrested and based on his confession, the petitioner has been arrayed as an accused (A2).

3. The learned Additional Public Prosecutor (Criminal Side), on instructions, submitted that when A1 was arrested, A2 had gone to the medical shop to buy some more tablets. That apart, as per the confession of A1, he was selling the contraband along with the petitioner(A2). He further submitted that there is one previous case against the petitioner under the Arms Act.

4. The learned counsel for the petitioner submitted that the petitioner has just completed his college and that a false case has been foisted against the petitioner and the petitioner has nothing to do with the alleged offence.

5. Taking into consideration the facts and circumstances of the case and



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considering the fact that the quantity involved in this case is a small quantity and also considering the fact that the contraband has been seized and the petitioner is a college going student and there is no previous case against the petitioner under the NDPS Act, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 Judicial Magistrate Court No.V, 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 on every Monday and Friday at 5.30 p.m. until further orders.

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



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investigation or trial.

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[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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under 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 Judicial Magistrate No.V,
Madurai.

2.Do through the Chief Judicial Magistrate,
Madurai District.



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3.The Inspector of Police,
Karimedu Police Station,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.MUTHU KUMAR, Advocate (SR-14750[I] dated 29/11/2024)

ORDER
IN
CRL OP(MD) No.20836 of 2024
Date :29/11/2024

ED/ GSV /SAR- (06/12/2024) 5P / 6C

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