



CRL OP(MD). No.21251 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

CRL OP(MD). No.21251 of 2024

Ramamoorthy

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Kovilangulam Police Station,
Ramanathapuram District.
In Crime No.47 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.S.Srikanth

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 47 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



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custody on 07.11.2024 for the offences under Section 4(1)(a) of TNP Act in Crime

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No.47 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the accused persons were in possession of 80 grams of Ganja. There are two accused persons in this case and the petitioner has been arrayed as A1.

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 has 8 previous cases, out of which, four cases are pertaining to the offence under NDPS Act.

5.The learned counsel for the petitioner submitted that a false case has been foisted against him and the petitioner, even as per the prosecution, was only in possession of 40 grams of ganja.

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



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considering the fact that the petitioner has suffered incarceration from 07.11.2024 and taking into account the previous cases against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions:

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 *Judicial Magistrate, Kamuthi*, 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 petitioner shall report before the respondent police daily 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 Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with



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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 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 JUDICIAL MAGISTRATE,
KAMUTHI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
- 3 THE OFFICER INCHARGE,
SUB JAIL, MUDUKULATHUR.
- 4 THE INSPECTOR OF POLICE,
KOVILANGULAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.S.SRIKANTH, Advocate (SR-14992[I] dated 05/12/2024)

ORDER
IN
CRL OP(MD) No.21251 of 2024
Date :05/12/2024

SS/SAR- /05/12/2024/ 5P/7C

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