



CRL OP(MD). No.21434 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21434 of 2024

Sannasi

... Petitioner/ Accused(Rank not known)

Vs

The State of Tamilnadu,
Rep By, The Inspector of Police,
Soorankudi Police Station,
Thoothukudi District.
Cr.No.142/2022..

... Respondent/ Complainant

For Petitioner : Mr.K Ramakrishnan, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

To direct the respondent police to enlarge the petitioner/accused on the above Anticipatory Bail in the event of his arrest in connection with the Cr.No.142/2022 on the file of the respondent police and in C.C.No.96 of 2024.



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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 8(c) r/w Section 20(b)(ii)(c), 25 and 29(i) of NDPS Act in Crime No.142 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons were found in possession of 540 Kgs of Ganja. There are totally 20 accused persons in this case, out of which, 11 accused persons alone faced trial in C.C.No.991 of 2023 and they were all acquitted by the Special Court by judgment dated 23.10.2023. For the remaining accused persons, the case was split up and it is pending in C.C.No.96 of 2024. The petitioner has been arrayed as A7.

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

4. Taking into consideration of the facts and circumstances of the case and considering the fact that there are no previous cases against the petitioner and also the fact that anticipatory bail was granted to A6 by order, dated 29.11.2024 in CrI.O.P (MD) No.20828 of 2024, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.



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5. Accordingly, this criminal original petition is ordered and the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Special Principal District and Session Judge (For EC and NDPS Act cases), 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 said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner and 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.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] on breach of any of the aforesaid conditions, the learned Judge/ Trial Court



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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 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]; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

sd/-
06/12/2024

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

PNM

TO

1. The Special Principal District and Session Judge
(For EC and NDPS Act cases), Madurai
2. The Inspector of Police,
Soorankudi Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.KA.RAAMAKRISHNAN, Advocate (SR-15195[I] dated 10/12/2024)



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ORDER
IN
CRL OP(MD) No.21434 of 2024
Date :06/12/2024

RK/SKN (16/12/2024) 5P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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