



CRL OP(MD). No.21799 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.21799 of 2024

Sathishkumar,

... Petitioner / Accused No.2

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
PEW-Madurai City Police Station,
Madurai District.
(Crime No.890 of 2024)

... Respondent / Complainant

For Petitioner : Mr.S.Kasirajan,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS,2023.

PRAYER :- For Bail in Crime No.890 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 11.11.2024 for the alleged offences under Sections 8(c), 20(b)(ii)(A), 25 and 29(1) of NDPS Act, 1985 and Section 77 of the Juvenile Justice Act, 2015, in Crime No.890 of 2024, on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the accused persons were found in possession of 330 grams of ganja. There are totally 3 accused persons in this case and the petitioner has been arrayed as A2.

3. The learned Additional Public Prosecutor (Criminal Side), on instructions, submitted that there are 6 previous cases against the petitioner, out of which, 1 pertains to offence under the NDPS Act.

4. The learned counsel for the petitioner submitted that a false case has been foisted against the petitioner and that A1 and A3 have already been enlarged on bail.

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

6. Taking into consideration the facts and circumstances of the case and considering the quantity involved in this case and taking note of the fact that A1 and A3 have been enlarged on bail and out of 6 previous cases, 1 case pertains to offence under the NDPS Act and the petitioner has suffered incarceration from 11.11.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his 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 No.VI, Madurai, Madurai District, and on further conditions that:-



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[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 on every Monday and Friday at 05.30 p.m. for a period of 8 weeks and thereafter, as and when required.

[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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
11/12/2024

/ TRUE COPY /

11/12/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

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1 THE JUDICIAL MAGISTRATE NO.VI,
MADURAI, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.

4 THE INSPECTOR OF POLICE,
PEW-MADURAI CITY POLICE STATION, MADURAI DISTRICT.

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

+1 CC to M/s.S.KASIRAJAN, Advocate (SR-15250[I] dated 11/12/2024)

ORDER IN
CRL OP(MD) No.21799 of 2024
Date :11/12/2024

SA/SAR. /11.12.2024/4P/7C

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