



CRL OP(MD). No.22288 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.22288 of 2024

E. Jayaraj

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Srimushnam Police Station,
Cuddalore District,
Tamil Nadu-608703,
(Crime No. 275 of 2024).

... Respondent/Complainant

For Petitioner : Mr.Shahul Hameeth. K,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.275 of 2024 on the file of the respondent police.

<https://www.mhc.tn.gov.in/judis>



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ORDER : The Court made the following order :-

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The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 18.11.2024 for the offences under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act in Crime No.275 of 2024, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner was intercepted on 18.11.2024 at about 07.00 hours and he was found in possession of 1.5 kgs of ganja. On enquiry, he revealed that he purchased ganja from Accused No.1. Based on that information, Accused No.1 was arrested and 3.5 kgs of ganja was seized from Accused No.1.

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

4. Taking into consideration the facts and circumstances of the case and considering the quantity involved in this case, which was seized from the petitioner and also taking note of the fact that the petitioner has suffered incarceration from 18.11.2024 and there is one previous case against the petitioner under the NDPS Act, this Court is inclined to grant bail to the petitioner subject to the following conditions:

<https://www.mhc.tn.gov.in/judis>



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5. 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 Additional District Judge / Presiding Officer, Special Court under Essential Commodities Act, Thanjavur 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 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
Section 269 of BNS, 2023.

sd/-
18/12/2024

/ TRUE COPY /

18/12/2024
Sub-Assistant Registrar (CS-I / II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

- 1.The Additional District Judge /
Presiding Officer, Special Court under Essential Commodities Act, Thanjavur
 - 2.The Superintendent, Cuddalore Central Prison.
 - 3.The Inspector of Police,
Srimushnam Police Station,
Cuddalore District.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.V.ANBARASAN, Advocate (SR-15573[I] dated 18/12/2024)

ORDER
IN
CRL OP(MD) No.22288 of 2024
Date :18/12/2024



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WIKI
RK/(18/12/2024) 5P / 6C

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