



CRL OP(MD). No.22476 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 19.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH
CRL OP(MD). No.22476 of 2024

Merlin Anish

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Colachel Police Station,
Kanyakumari District.
(Crime No.316 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.B.Micheal Sebastin, Advocate.
For Respondent : Mr.S.Ravi, Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.316 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 21.11.2024 for the alleged offences under Sections (*)8(c) r/w. Section 20(b)(ii)(A), 22(a), 25 and 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 77 of Justice of Juvenile Act, 2015, in Crime No.316 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that A2 to A4 were found in possession of 70



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grams of ganja and 2 grams of methamphetamine. They were arrested and on their confession, it came to light that A1 had only supplied the contraband. There are totally 4 accused persons in this case and the petitioner has been arrayed as A2.

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

4. Taking into consideration the facts and circumstances of the case and considering the fact that the quantity involved in this case is a small quantity and also considering the fact that the petitioner has suffered incarceration from 21.11.2024 and there are no previous cases against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

5. 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 Court, Eraniel, Kanyakumari District, 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 on every Monday, Wednesday and Friday at 10.30 a.m. until further orders.



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[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/-
19/12/2024

(*)Corrected as per order of this Hon'ble Court in
CRL OP(MD).22476/2024 Dated 20/12/2024

/ TRUE COPY /

20/12/2024

Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL

To

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON
19/12/2024



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1.THE JUDICIAL MAGISTRATE,
ERANIEL, KANYAKUMARI DISTRICT.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3.THE INSPECTOR OF POLICE,
COLACHEL POLICE STATION,
KANYAKUMARI DISTRICT.

4.THE OFFICER INCHARGE,
DISTRICT JAIL, NAGERCOIL
KANYAKUMARI DISTRICT.

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

+1 CC TO M/S.B.MICHEAL SEBASTIN, ADVOCATE (SR-15705[I] DATED
19/12/2024)

ORDER

IN

CRL OP(MD) No.22476 of 2024

Date :19/12/2024

ED/ /SAR- (19/12/2024) 4P / 7 C

RS/ /SAR- (20/12/2024) 4P / 7 C

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