



CRL OP(MD). Nos.22237 and 22238 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). Nos.22237 and 22238 of 2024

1.K.Mathan Selvam

... Petitioner/ Accused No.6
(In CrI.O.P(MD)No.22237 of 2024

2.D.Murugan

... Petitioner/ Accused No.8
(In CrI.O.P(MD)No.22238 of 2024

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Pettai Police Station,
Tirunelveli District.
Cr.No.7 of 2024.

... Respondent/Complainant
(for both cases)

For Petitioners : Mr.M.Jegadeesh Pandian
For Mr. Manimaran. N A.
(for both cases)

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor
(for both cases)

PETITIONS FOR BAIL Under Sec.483 of BNSS



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PRAYER for CrI.O.P(MD)No.22237 of 2024:-

To release the petitioners/accused no.6 on bail in Cr.No.07 of 2024 in C.C.No.209 of 2024 in II Additional District Judge for E.C and NDPS Act Cases, Madurai on the file of the respondent police.

PRAYER for CrI.O.P(MD)No.22238 of 2024:-

To release the petitioners/accused no.8 on bail in Cr.No.07 of 2024 in C.C.No.209 of 2024 in II Additional District Judge for E.C and NDPS Act Cases, Madurai on the file of the respondent police.

COMMON ORDER : The Court made the following order :-

The petitioners/A6 and A8, who were arrested and remanded to judicial custody on 07.01.2024 for the offences under Sections 8(c) r/w 20(b)(ii)(c), 25 and 29 (1) of NDPS Act in Crime No.07 of 2024 on the file of the respondent police, seek bail.

2. Heard the learned Counsel appearing on either side.

3. There are totally eight accused persons in this case and the petitioners have been arrayed as A6 and A8. This Court had already considered the case of A4 and A6 in detail and enlarged them on bail in CrI.O.P(MD)No.20151 and 20162 of 2024 by order dated 11.12.2024. In order to maintain parity, this Court is inclined to enlarge the petitioners also on bail considering the fact that there are no previous cases against the petitioners subject to conditions.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that already steps have been taken to file a petition for cancellation of bail granted in favour of A4 and A6, in view of the recent judgment of the Apex



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Court in Kashif Case in Criminal Appeal No.5544 of 2024, dated 20.12.2024.

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5.If any such petition is filed, the same will be dealt with on its own merits and that will not stand in the way of this Court to grant bail to the petitioners while treating them on par with A4 and A6, who have already been granted bail.

6. Accordingly, these criminal original petitions are ordered and the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each, with two sureties, each for a like sum to the satisfaction of the learned II Additional District Judge for E.C and NDPS Act cases, Madurai, 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 petitioners shall report before the learned Special Principal District and Sessions Judge for EC and NDPS Act Cases, Madurai during every date of hearing without fail.

[c] the petitioners shall appear before the trial Court during every hearing date without fail.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[e] the petitioners shall not abscond either during investigation or trial.

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[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

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

sd/-
02/01/2025

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02 / 01 /2025

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

LR

TO

1 THE II ADDITIONAL DISTRICT JUDGE
FOR E.C AND NDPS ACT CASES,
MADURAI

2 THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.



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3. THE INSPECTOR OF POLICE,
PETTAI POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.NA.MANIMARAN, Advocate (SR-20[I] dated 02/01/2025)

ORDER
IN

CRL OP(MD). Nos.22237 and 22238 of 2024

Date :02/01/2025

PSP/ /SAR /02.01.2025/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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