



CRL OP(MD). No.23162 of 2024

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

Date : 02.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH
CRL OP(MD). No.23162 of 2024

Marimuthu

... Petitioner / Accused No.1

Vs

The Inspector of Police,
V.K.Puram Police Station,
Tirunelveli District.
(Crime No.638 of 2024)

... Respondent / Complainant

For Petitioner : Mr.T.Lenin Kumar, Advocate.

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

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

PRAYER :-

For Bail in Crime No.638 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 26.10.2024 for the alleged offences under Sections 8(c) read with Section 20(b)(ii)(B) of NDPS Act, 1985 and Section 4(1)(A) read with Section 4(1)(C) of Tamil Nadu Prohibition (Amendment) Act, 2024, in Crime No.638 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons were found in possession of 1.060 kgs of ganja. There are totally 3 accused persons in this case and



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the petitioner has been arrayed as A1.

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3. The learned Additional Public Prosecutor (Criminal Side) on instructions submitted that there are eight previous cases pending against the petitioner out of which, six cases pertain to NDPS Act and out of those cases, petitioner has been convicted in five cases and in the other case, charge sheet has already been filed. Hence, he vehemently opposed for grant of bail to the petitioner.

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

5. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner has suffered incarceration from 26.10.2024 and taking note of the quantity of the contraband involved in this case and also taking note of the previous cases pending against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. 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 Principal Special Court 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



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Book to ensure their identity.

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[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].

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

sd/-
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02/01/2025

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

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TO

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1 THE JUDGE, PRINCIPAL SPECIAL COURT FOR EC AND NDPS ACT CASES,
MADURAI.

2 THE INSPECTOR OF POLICE, V.K.PURAM POLICE STATION,
TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.

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

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-16[I] dated 02/01/2025)

ORDER

IN

CRL OP(MD) No.23162 of 2024

Date :02/01/2025

RS/IT/SAR-(02.01.2025) 4P 6C

Madurai Bench of Madras High Court is issuing
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