

In the Court of Judicial Magistrate, Ambasamudram

Present: Thiru.A. Palkalaiselvan,B.A.,B.L.,
Judicial Magistrate, Ambasamudram.

Monday, the 10th day of October, 2022

CRLMP. No. 4957/2022
(CNR.No.TNTLOE -006557-2022)

Anantharaj,
S/o. Petchimuthu,
Kallidaikurichi.

---- Petitioner/ Accused

// VS//

Sub Inspector of Police,
Ambasamudram P.S.
Cr.No. 169/2022

---- Respondent / Complainant

This 3rd Bail petition is filed and taken on file on 06.10.2022. This petition is coming on this day before this court for hearing in the presence of Mr.M.M. Kasim, B.Sc., B.L., learned counsel for petitioner and Assistant Public Prosecutor, Grade II Judicial Magistrate Court, Ambasamudram for state. After hearing the argument of both sides after perusing the material records before this court and having stood over till this day for consideration, this court delivered the following.

ORDER

The bail petition is filed U/s.437 of Cr.p.c.

1. The case of the prosecution is that the petitioner/accused is possession of Kanja and tried to sale the same to school and college students. Therefore FIR is registered in Cr.No. 169/2022 for the alleged offence U/s.8(c), 20(b)(ii)(A) of NDPS Act and 77 THE JUVENILE JUSTICE (Care and Protection of Children Act) Act. The accused is arrested and remanded to Judicial Custody on 22.09.2022.

2. The contention of the learned counsel for petitioners/accused is that the petitioners/accused is an innocent person and the case is foisted against this petitioner. The petitioners/accused is ready to abide by any condition imposed by this court for releasing him on bail.

3. Reply received from the respondent police. The prosecution has strongly opposed to grant bail stating that investigation is in initial stage. No previous case pending against petitioner/accused. If the petitioner/accused is released on bail he will abscond and he will not appear before this Court, further he will tamper the evidence. If he released on bail he will commit similar offence. Hence objected to grant bail.

4. Heard both sides. Both side submission considered and carefully perused the material records available before this court. In this case petitioner is arrested and remanded to judicial custody on 22.09.2022 for past 19 days. On perusel of records metieral part of investigation is also almost over. No previous case pending against petitioner/accused. The property recovered and remanded as P.R.No. 446/2022. Therefore considering above aspects and incarceration of the petitioner/accused this court is inclined to grant bail with condition to the petitioner/ accused. Hence this bail petition is allowed.

Therefore the petitioner/accused is ordered to be released on bail subject to following condition.

Conditions:-

1. The petitioner/accused shall execute a bond for a sum of Rs.10,000/- along with two sureties each like sum.
2. The petitioner/accused shall appear and sign before Respondent Police Station daily twice at 10.00 A.M and 5.00 P.M for untill further orders.
3. The petitioner/accused shall not tamper the evidence during investigation or trial.
4. The petitioner/accused shall not commit any offence similar to this offence.
5. The petitioner/accused shall co-operate for investigation and also shall appear before respondent police as and when required for interrogation.

This order directly dictated to the Typist, typed by her and corrected and pronounced by me in Open Court on this the 10th day of October, 2022.

Judicial Magistrate,
Ambasamudram.