



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.21008 of 2021

Vijayan

... Petitioner/Sole Accused

Vs.

State represented by
Inspector of Police,
Tiruvannamalai Police Station,
Tiruvannamalai District.
(Crime No.1133 of 2021)

... Respondent/Complainant

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in connection with Crime No.1133 of 2021 on the file of the respondent.

For Petitioner : Mr.C.C.Chellappan

For Respondent : Mr.N.S.Suganthan
Government Advocate

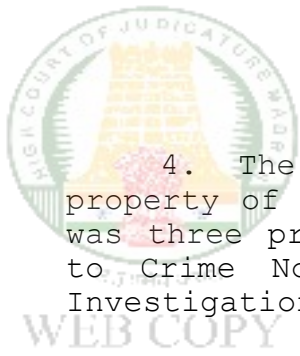
ORDER

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 21.09.2021 for the offences under Sections 8 (c) read with 20(b) (ii) (B) of NDPS Act, 1985, in Crime No.1133 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, on 21.09.2021 the defacto complainant attached to the respondent police filed a special report stating that based on secret information given by the informant, the petitioner was found in unlawful possession of 1.100 kgs of Ganja. Hence, this Complaint.

3. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case and nothing to do with the alleged offence. He is no way connected with this case. Hence, seeks bail.



4. The learned Government Advocate (Crl.Side) states that, property of 1.20kgs of Ganja was recovered from the petitioner. There was three previous cases are pending against the petitioner relating to Crime Nos.394 of 2021, 1644 of 2011 and 1379 of 2009. The Investigation is yet to be completed.

5. Considering the fact that, the property of 1.200kgs of Ganja was recovered from the petitioner. For the statistical purpose, the petitioner has been implicated in this case. The petitioner was under the judicial custody from 21.09.2021, this Court is inclined to grant bail to the petitioner with certain 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 Judicial Magistrate-I, Tiruvannamalai, 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 Monday and Friday at 10.30 a.m., until for 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

16/11/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE JUDICIAL MAGISTRATE,
NO.I, TIRUVANNAMALAI

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
TIRUVANNAMALAI TOWN POLICE STATION,
TIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM

+1 CC to M/S. C.C.CHELLAPPAN Advocate on payment of necessary
charges SR.No.12866

CRL OP.21008/2021

Date :16/11/2021

APN 17/11/2021