



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2021

CORAM:

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

Cr1.O.P.No.22231 of 2021

Abdullah @ Shaik Abdullah

... Petitioner

Vs.

State rep by:
The Inspector of Police,
P-6 Kodungaiyur Police Station,
Chennai- 600 021.
Crime No.2562 of 2021

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in the Crime No.2562 of 2021 pending on file of the respondent police.

For petitioner : Mr.D.Sugumar

For Respondent : Mr.N.S.Suganthan
Government Advocate (Cr1. Side)

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 20.09.2021 for the offences under Section 22(b) NDPS Act 1985, in Crime No.2562 of 2021, on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner was found in of illegal possession of drugs namely Methamphetamine weighing 0.45 mg. in a polythene cover and during the course of enquiry, it came to light that the petitioner had purchased the drugs for selling high price. Hence, the complaint.



3. The learned Counsel for the petitioner submitted that the petitioner has been falsely implicated in this case for statistical purpose and he is no way connected with the alleged offence. He would further submit that the petitioner has been suffering incarceration for more than 25 days from 20.09.2021. Hence, he seeks for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) raised objection stating that the petitioner is arrayed as A1 and he has got one previous case but admits that the investigation is almost completed.

5. Considering the quantity of the contra band and the fact that the investigation is almost completed and also considering the period of incarceration undergone by the petitioner, 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 learned X Metropolitan Magistrate at Egmore, Chennai, 600 008, 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 Tuesday and Sunday 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]; and;



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

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-sd/-
01/12/2021

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 METROPOLITAN MAGISTRATE,
NO.X, EGMORE, CHENNAI-600 008.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
P-6 KODUNGAIYUR POLICE STATION,
CHENNAI 600 021.

4 THE SUPERINTENDENT,
CENTRAL PRISON-II, PUZHAL,
CHENNAI-600 066.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.D.SUGUMAR Advocate on payment of necessary charges

CRL OP.22231/2021

Date :01/12/2021

JPA 02/12/2021