



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.6013 of 2022

Suresh Babu

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
C5, Vengal Police Station,
Thiruvallur District.
(Crime No.13 of 2022)

.. Respondent

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.13 of 2022 on the file of Respondent of police.

For Petitioner : Mr.N.Suriyamuthu

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioner, who was arrested and remanded to Judicial Custody on 17.01.2022 for the offences punishable under sections 8 (c) r/w 20(b)(ii)(B) and 25 Narcotics Drugs and Psychotropic Substances Act, 1985 in Crime No.13 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner herein was arrested on 17.01.2022 for alleged possession of 1.600 kgs of ganja illegally transported in his auto bearing registration No. TN-12-V-5305 accompanied by a Juvenile in his two wheeler bearing registration No. TN-12 AJ 7959. When the accused persons proceeds to sell the ganja, they were intercepted and arrested by the respondent police.

3. The learned Additional Public Prosecutor vehemently opposed for granting bail to the petitioner on the ground that the petitioner is having one previous case of similar in nature and the petitioner is also accused in one Murder case.



4. Considering the period of incarceration suffered by the petitioner and also considering the stage of the investigation, this Court is inclined to grant bail to the petitioner with a condition that the petitioner should report before the Sholinganallur Police station daily at 10.00 am for a period of thirty days.

5. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, No.1, Thiruvallur.

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to report before the Sholinganallur Police station daily at 10.30 am for a period of thirty days and thereafter as and when required for interrogation.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Judicial 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 229A IPC.

-sd/-

16/03/2022

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.1, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR DISTRICT. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

4 THE INSPECTOR OF POLICE,
C5, VENGAL POLICE STATION,
TIRUVALLUR DISTRICT.

5 THE OFFICER INCHARGE,
SHOLINGANALLUR POLICE STATION, CHENNAI.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. N.SURIYAMUTHU Advocate on payment of necessary
charges SR.NO. 4018

CRL OP.6013/2022

Date :16/03/2022

RW 17/03/2022