



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.7788 of 2022

Manivannan

.. Petitioner

Vs.

State Rep. by
The Inspector of Police,
Natrampalli Police Station,
Tirupathur District.
(Crime No.50 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 the Crime No.50 of 2022 on the file of the respondent police.

For petitioner : Mr.G.Munuraj

For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner, who was arrested on 11.02.2022 for the offences punishable under Sections 8(c) read with 20(b)(ii)(B) of NDPS Act 1985 in Crime No.50 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that 6 kgs of Ganja was recovered from one Kaviyarasu, who in his hand kept in the back hold by driving Suzuki Access bearing Registration No.KA 51 HF 4404. This petitioner was a pillion rider accompanying with the said Kaviyarasu/A1 and he was arrested on 11.02.2022 and remanded to judicial custody on 12.02.2022.



3. Learned Additional Public Prosecutor appearing for the respondent states that the investigation is completed and lab report is awaited for filing final report.

WEB COPY

4. Considering the fact that nothing was recovered from this petitioner, 60 days has been lapsed and final report is not filed, this Court grants bail to the petitioner herein and he is ordered to be released on bail subject to the following conditions;

(a) The petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Special Judge for EC/NDPS Act Cases, Salem;

(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 Investigating Officer daily at 10.30 a.m. until final report is filed;

(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.

WEB COPY

-sd/-
13/04/2022

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 SPECIAL JUDGE
FOR EC/NDPS ACT CASES, SALEM

2 THE INSPECTOR OF POLICE
NATRAMPALLI POLICE STATION,
TIRUPATHUR DISTRICT

3 THE SUPERINTENDENT OF PRISON
CENTRAL PRISON, SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.G.MUNURAJ Advocate on payment of necessary charges

CRL OP.7788/2022

Date :13/04/2022

JPA 18/04/2022