



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

CrI.O.P.No.9007 of 2022

Karthikeyan @ Karthik

... Petitioner

Vs.

State of Tamil Nadu,
Rep. by its Inspector of Police,
Thiruvannamalai East Police Station,
Thiruvannamalai.
(Crime No.126 of 2022)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail pending investigation in Crime No.126 of 2022 on the file of the Respondent police.

For Petitioner : M/s.S.Nagarathinam

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

ORDER

The petitioner, was arrested and remanded to judicial custody in Crime No.126 of 2022, on the file of the respondent police on 18.03.2022 for the alleged offences punishable under Sections 4(1)(a) read with 4(1-A)(ii) of TNP Act and 8(c), 20(b)(ii)(A) of NDPS Act 1985.

2. The petitioner herein was arrested on 18.03.2022, alleged to have in possession of 20 litres of I.D. arrack and 120 grams of Ganja.

3. The learned Additional Public Prosecutor opposed the bail petition on the ground that the petitioner has one previous case of similar nature registered in Crime No. 591 of 2021.



4. Considering the quantity of the alleged contraband seized and the period of incarceration, this Court is inclined to grant bail to the petitioner.

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.II, Thiruvannamalai;

(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 shall report before the Investigating Officer 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/-
25/04/2022

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 JUDICIAL MAGISTRATE,
NO.II, THIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
THIRUVANNAMALAI EAST POLICE STATION,
THIRUVANNAMALAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to S.NAGARATHINAM Advocate on payment of necessary charges
SR.NO.6142

CRL OP.9007/2022

Date :25/04/2022

JPA 26/04/2022