



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

CrI.O.P.No.9765 of 2022

Kaviyarasu

... Petitioner

Vs.

The State rep by
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 pending investigation in Crime No.50 of 2022 on the file of the Respondent police.

For Petitioner : M/s.G.Munuraj

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

ORDER

The petitioner was arrested and remanded to judicial custody in Crime No.50 of 2022, on the file of the respondent police on 12.02.2022 for the alleged offences punishable under Sections 8(c) read with 20(b)(ii)(B) of NDPS Act, seeks bail.

2. The petitioner was arrested on 12.02.2022 for the alleged possession of 6 kgs of Ganja along with one Manivannan.

3. The respondent police has seized the contraband while the petitioner and the Manivannan was transporting it in two-wheeler bearing Reg.No. SUZUKI ACTIVA 125 CC KA 51 HF 4404.



4. The learned counsel for the petitioner states that the petitioner is no way connected with the alleged contraband. Hence, he seeks for bail to the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner.

6. 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.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 shall report before the Investigating Officer daily at 10.30 a.m. until filing of final report;

(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/-
29/04/2022

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,
SALEM CENTRAL PRISON (JAIL),
SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.9765/2022

Date :29/04/2022

JPA 02/05/2022