



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.05.2022

CORAM:

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

Cr1.O.P.No.9960 of 2022

Logesh

.. Petitioner

Vs.

State represented by
The Sub Inspector of Police,
Thiruvannamalai East Police Station,
Thiruvannamalai District.
Crime No.214 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.214 of 2022 on the file of respondent.

For Petitioner : Mr.R.Balakrishnan

For Respondent : Mr.L.Baskaran,
Government Advocate (crl.side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 20.04.2022 on the file of the respondent police in Crime No.214 of 2022, for the alleged offences punishable under Sections 4(1) (a) r/w 4(1-A) of TNP Act and 8(c) r/w 20(b) (ii) (A) of NDPS Act, 1985 seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of 20 litres of ID arrack and 120 grams of Ganja and the same was recovered. Hence, the case.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case and he has been suffering incarceration from 20.04.2022. Hence, he prays for grant of bail.

4. The learned Government Advocate (crl.side) for the respondent would submit that the petitioner is the sole accused and recovered contraband has been sent for chemical analysis and the report is awaited.



5. Considering the facts and circumstances of this case and the period of incarceration undergone by the petitioner and also the small quantity of contraband, 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 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 is directed to report before the respondent police once in two weeks until further orders;

(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/-

12/05/2022

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 SUB INSPECTOR OF POLICE,
THIRUVANNAMALAI EAST POLICE STATION,
THIRUVANNAMALAI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. R.BALAKRISHNAN Advocate on payment of necessary
charges SR.No.7025

CRL OP.9960/2022

Date :12/05/2022

CSK 12/05/2022