



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Third day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.11758 of 2022

P.SARAVANAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY ITS [RESPONDENT]
THE INSPECTOR OF POLICE,
T-10, THIRUMULLAIVOYAL POLICE STATION,
CHENNAI.
CR.NO.245 OF 2022.

For Petitioner : M/S.M.MATHAN RAJ Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

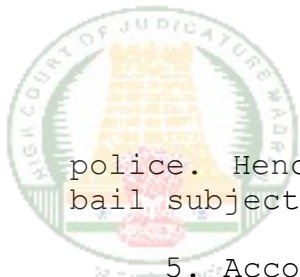
ORDER : The Court Made the following order :-

The petitioner herein, who was arrested and remanded to judicial custody on 20.03.2022 for the alleged offence under Section 8(c) read with 20(b)(ii)(B) of NDPS Act, 1985 in Crime No.245 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 19.03.2022, based on a secret information, 4 Kgs of ganja was seized from A1 to A3. Based on the confession given by them, the petitioner had been added as an accused and he has been arrayed as A4.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

4. Taking into consideration the facts and circumstances of the case and also of the fact that the petitioner had been roped in this case based on the confession of the co-accused. There is one previous case against the petitioner for the offence under Section 302 IPC and the petitioner has already suffered incarceration for nearly 64 days and the entire contraband has already been seized by the respondent



police. Hence, this Court is inclined to enlarge the petitioner on bail subject to certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.5,000/- (Rupees Five Thousand only)** with two sureties, out of which one surety shall be a local surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Ambattur and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police on every Monday at 10.30 a.m for a period of eight weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned 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/-
23/05/2022

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,
AMBATTUR, CHENNAI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
T-10, THIRUMULLAIVOYAL POLICE STATION,
CHENNAI.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

+1 CC to M/S.M.MATHAN RAJ Advocate on payment of necessary
charges SR.NO.7809

CRL OP.11758/2022

Date :23/05/2022

TA-24/05/2022