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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.06.2022

Coram::

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Criminal Original Petition No.11565 of 2022

Jayaram

... Petitioner/Accused 3

/versus/

State by the
Inspector of Police,
Kelamangalam Police Station,
Krishnagiri District.
(Crime No.58 of 2022)

... Respondent/Complainant

Prayer:- This Criminal Original Petition is filed under Section 439 of Cr.P.C., pleaded to enlarge the petitioner on bail in relating to the case registered as Crime No.58 of 2022 on the file of the respondent.

For Petitioner : Mr.C.Munusamy

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

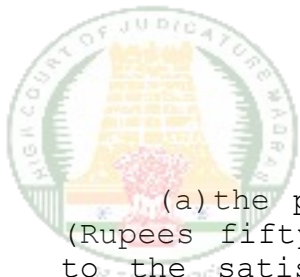
O R D E R

The petitioner/accused, who was arrested and remanded into judicial custody on 28.02.2022 by the respondent police in connection with the case registered under Sections 8(c) r/w 20(b)(ii)(C) of NDPS Act in Crime No.58 of 2022, seeks bail.

2.The case of the prosecution is that 22kgs of ganja from six persons was recovered on 28.02.2022 in the public place. As far as this petitioner is concerned, it is alleged that he is found in possession of 4 kgs of ganja. The petitioner was arrested on 28.02.2022 and till date, final report was not filed.

3.Taking into consideration that the period of incarceration and non-filing of the final report, this Court is inclined to grant bail to the petitioner on the following conditions:-

4.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 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 v. State of Kerala [(2005) AIR SCW 5560];

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

08/06/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE SPECIAL JUDGE FOR
EC/NDPS ACT CASES, SALEM.

2 THE OFFICER INCHARGE,
DISTRICT JAIL, DHARMAPURI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



4 THE INSPECTOR OF POLICE
KELAMANGALAM POLICE STATION,
KRISHNAGIRI DISTRICT.

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CC to M/S C.MUNUSAMY Advocate on payment of necessary charges

CRL OP.11565/2022

Date :08/06/2022

RW-09/06/2022