



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.11654 of 2022

IRFAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLIC,
P1 PULIANTHOPE POLICE STATION,
CHENNAI.
(CRIME NO.268/2022)

[RESPONDENT]

For Petitioner : M/S J.SAMIULLAH Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (CrI. 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 12.04.2022 for the alleged offence under Section 8(c), 20 (b) (ii) (B), 22 (a) and 29(1) of NDPS Act in Crime No.268 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons were in possession of 1.150 Kgs of ganja and 1 Gram of Methamphetamine. There are totally five accused persons in this case and the petitioner has been arrayed as A3.

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

4. In the present case, the contraband has already been seized by the respondent police. That apart, the quantity involved falls within "In between quantity". There are no previous cases against the petitioner and the petitioner has already suffered incarceration for nearly 42 days, 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.5000/- (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 X Metropolitan Magistrate Court, Egmore, Chennai-08 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, thereafter as and when required for investigation.

[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 X METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI-08.



2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
P1 PULIANTHOPE POLICE STATION,
CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S J.SAMIULLAH Advocate on payment of necessary
charges SR.No.7795

CRL OP.11654/2022

Date :23/05/2022

CSK 24/05/2022