



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice C.V. KARTHIKEYAN

CRIMINAL ORIGINAL PETITION No.12367 of 2022

LOGESHWARAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
THUDIALUR POLICE STATION,
COIMBATORE DISTRICT
CRIME NO.515 OF 2022

[RESPONDENT]

For Petitioner : M/S. J.KATHER HUSSAIN Advocate

For Respondent : M/S.E.RAJ THILAK, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

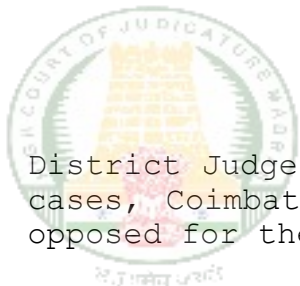
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 29.04.2022 for the offence under Section 8(c) r/w 20(b) (ii)(B) and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.515 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 2 kilograms of Ganja. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 29.04.2022. Hence, he prays to grant bail to the petitioner.

4.The learned Additional Public Prosecutor submitted that from the petitioner 2 kgs of Ganja has been seized and there is also another accused A.1, another 2 kgs has been seized from A.1. The previous bail application filed before the learned Additional



District Judge & Presiding Officer, Special Court under EC & NDPS Act cases, Coimbatore was dismissed on 19.05.2022. Hence, he vehemently opposed for the grant of bail to the petitioner.

5. Considering the above facts and circumstances of the case and considering the fact that Ganja was recovered by the respondent police and also considering the period of incarceration by the petitioner from 29.04.2022, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Special Court under EC & NDPS Act Cases, Coimbatore, 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 daily at 10.30a.m, until further orders.

[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/-
01/06/2022

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 COURT UNDER EC
& NDPS ACT CASES, COIMBATORE.

2 THE INSPECTOR OF POLICE,
THUDIALUR POLICE STATION,
COIMBATORE DISTRICT

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. J.KATHER HUSSAIN Advocate on payment of necessary
charges SR.NO.8292

CRL OP.12367/2022

Date :01/06/2022

JPA 01/06/2022