



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fifth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12380 of 2022

SARAVANAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
VADAVALLI POLICE STATION,
COIMBATORE DISTRICT
CRIME NO.265 OF 2022

[RESPONDENT]

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

For Respondent : MR.A.DAMODARAN, Additional public Prosecutor

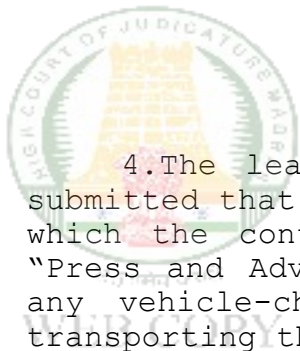
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 16.04.2022 for the alleged offences under Sections 8(c) r/w. 20(b)(ii)(B) and 25 of the Narcotics Drugs and Psychotropic Substances Act, 1985, in Crime No.265 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that, on 16.04.2022, when the respondent police was involved in routine vehicle check-up, the petitioner was found to transport 2.200 kg of Ganja in a Scorpio Car bearing Registration No.TN-20-AJ-555 and therefore, the petitioner was arrested and the contraband was seized. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner was not at all aware that the contraband was available in his vehicle. The learned counsel further submitted that the petitioner has no previous case pending against him.



4.The learned Government Advocate appearing for the respondent submitted that the petitioner had purchased the car and the vehicle in which the contraband was transported was pasted with a sticker of "Press and Advocate" so that the vehicle will not be stopped during any vehicle-check and on that strength, the petitioner has been transporting the contraband and hence, objected for grant of bail.

5.Finding that the contraband has been seized and the petitioner has suffered incarceration from 16.04.2022 and there is no previous case pending as against the petitioner, this Court is inclined to grant bail to the petitioner subject to 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, for a like sum to the satisfaction of the 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 10.30 a.m. for a period of three weeks and thereafter, as and when required.

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

[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 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/-

25/05/2022

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 SPECIAL COURT UNDER
EC & NDPS ACT CASES, COIMBATORE.

2 THE INSPECTOR OF POLICE,
VADAVALLI 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.7857

CRL OP.12380/2022

Date :25/05/2022

JPA 26/05/2022