



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Sixth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12633 of 2022

THULASI RAMAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY ITS,
THE INSPECTOR OF POLICE,
K-11 CMBT POLICE STATION,
CHENNAI.
CR.NO.192 OF 2022.

[RESPONDENT]

For Petitioner : M/S.K.PURUSHOTHAMAN Advocate

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

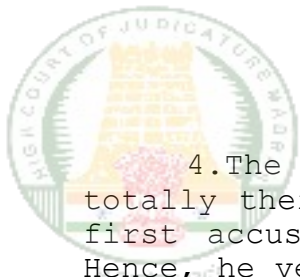
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 29.04.2022 for the offence under Sections 8(c), 20(b)(ii) (B) of Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.192 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 29.04.2022, based on the secrete information, the respondent went to the place of occurrence and they found that the petitioner was found in possession of 1.3. Kg of Ganja. Hence, the case was registered against the petitioner.

3.The learned counsel appearing for the petitioner would submit that a false case has been foisted against the petitioner. He would also submit that the petitioner was arrested and remanded to judicial custody on 29.04.2022. Hence, he prays for grant of bail to the petitioner.



4.The learned Additional Public Prosecutor would submit that totally there are three accused and the petitioner is arrayed as the first accused and he was found in possession of 1.3 Kg of Ganja. Hence, he vehemently opposed to grant bail to the petitioner.

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5.Even according to the case of the prosecution, the petitioner was found in possession of 1.3 Kg of Ganja, which is below the commercial quantity. Considering the above facts and circumstances of the case and considering the period of incarceration by the petitioner from the date of his arrest viz., 29.04.2022, this Court is inclined to grant bail to the petitioner.

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 blood related sureties, each for a like sum to the satisfaction of the learned Adj cum Special Judge [EC & NDPS Act cases], Chennai, 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 twice at 10.30 a.m., and 5.30 p.m., until further orders.

[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/-

06/06/2022

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 ADJ CUM SPECIAL
JUDGE (EC & NDPS ACT CASES) CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
K-11 CMBT POLICE STATION,
CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

+2 CC to M/S.K.PURUSHOTHAMAN Advocate on payment of necessary
charges SR.NO.8488

CRL OP.12633/2022

Date :06/06/2022

TA-07/06/2022