



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
( Criminal Jurisdiction )

Monday, the Sixth day of June Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN  
CRIMINAL ORIGINAL PETITION No.12732 of 2022

BALAJI @ KAVIBALAJI

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
INSPECTOR OF POLICE,  
THIRUVANNAMALAI EAST POLICE STATION,  
TIRUVANNAMALAI DISTRICT  
(CRIME NO.151/2022)

[ RESPONDENT ]

For Petitioner : M/S R.RAJPRABHU Advocate

For Respondent : M/S. A.DAMODARAN, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

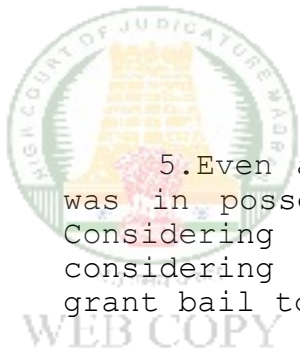
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 26.03.2022 for the offence under Section 8(c) r/w 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No.151 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that based on the secrete information, the respondent went to the place of occurrence and they found that the petitioner was selling ganja and seized 1 Kg of Ganja from the petitioner. 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 for purely statistical purpose. He would also submit that the petitioner was arrested and remanded to judicial custody on 26.03.2022. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the petitioner is the sole accused in this case and he was in possession of 1 Kg of Ganja. Hence, he vehemently opposed to grant bail to the petitioner.



5. Even according to the case of the prosecution, the petitioner was in possession of 1 Kg of Ganja and he is the sole accused. Considering the above facts and circumstances of the case and also considering the period of incarceration, 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 Judicial Magistrate No.II, Tiruvannamalai, 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 JUDICIAL MAGISTRATE,  
NO.II, TIRUVANNAMALAI

2 THE CHIEF JUDICIAL MAGISTRATE  
TIRUVANNAMALAI (FOR INFORMATION)

3 INSPECTOR OF POLICE,  
THIRUVANNAMALAI EAST POLICE STATION,  
TIRUVANNAMALAI DISTRICT

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,  
CENTRAL PRISON, SALEM

CC to M/S R.RAJPRABHU Advocate on payment of necessary charges  
Sr.8502

CRL OP.12732/2022

Date :06/06/2022

RVR 07/06/2022