



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.13728 of 2022

Krishnamoorthy

.. Petitioner

Vs.

The State of rep. by
The Sub Inspector of Police,
Hosur Police Station,
Krishnagiri District,
(Crime No.677 of 2021)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.677 of 2021, on the file of the Sub Inspector of police, Hosur Police Station, Krishnagiri District.

For Petitioner : Mr.B.Vasudevan

For Respondent : Mr.S.Udaya Kumar
Government Advocate (crl side)

O R D E R

The petitioner, who was arrested on 14.12.2021 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act 1985 in Crime No.677 of 2021, on the file of the respondent police, seeks bail.

2. The petitioner was arrested on 14.12.2021 for the alleged possession of commercial quantity of ganja. Though 180 days has lapsed, the prosecution has not filed the final report. For the said reason, the petitioner is granted bail under Section 167(2) of Cr.P.C. read with 37(2) of the NDPS Act. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Special Judge for EC/NDPS Act case, Salem.



(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to appear before the Investigation Officer as and when required.

(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 Judicial 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/-

16/06/2022

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 JUDGE FOR
EC/NDPS ACT CASE, SALEM.

2 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

3 THE SUB INSPECTOR OF POLICE,
HOSUR TOWN POLICE STATION,
KRISHNAGIRI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.B.VASUDEVAN Advocate on payment of necessary charges SR.NO. 9361

CRL OP.13728/2022

Date :16/06/2022

RW-17/06/2022