



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

CORAM

WEB COPY

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.OP.Nos.14181 & 14182 of 2022

Neethirajan

.. Petitioner in
Crl.O.P.No.14181 of 2022

Nathiya

.. Petitioner in
Crl.O.P.No.14182 of 2022

Vs.

State rep. by
Sub Inspector of Police,
Latheri Police Station,
Vellore District
(Crime.No.99 of 2022)

.. Respondent in both
Crl.O.Ps

PRAYER: Criminal Original Petitions are filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail, pending investigation in Crime No.99 of 2022 on the file of the respondent Police.

For Petitioner (in both Crl O.Ps) : Mr.R.Chakkaravarthy

For Respondent (in both Crl O.Ps) : Mr.A.Damodaran,
Additional Public Prosecutor

COMMON ORDER

The petitioners, who were arrested and remanded to judicial custody on 08.04.2022 for the offence punishable under Section 8(c) r/w 20(b) (ii) (B) of NDPS Act, 1985 in Crime No.99 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners were in illegal possession of 6 Kgs of Ganja. Hence the complaint.



3. The learned counsel appearing for the petitioner would submit that the petitioners are innocent persons and they have been been falsely implicated in this case. On instructions, he would further submit that the petitioners are ready to deposit an amount of Rs.25,000/- each to the Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram. Therefore, he prays for grant of bail to the petitioners.

4. The learned Additional Public Prosecutor (Crl.Side) would submit that the petitioners are arrayed as A1 and A2. He would further submit that the petitioners were in illegal possession of 6 kgs of Ganja. He would also submit that there is no previous case pending against the petitioners. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Taking into consideration the quantum of the contraband is not a commercial quantity and also taking note of the fact that the petitioners have come forward to deposit an amount of Rs.25,000/- (Rupees Twenty Five Thousand only), each, by way of Demand Draft to the Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram, also taking note of the fact that the petitioners are in judicial custody from 08.04.2022, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, by way of Demand Draft to the Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram and on such deposit the petitioners are ordered to be released on bail on their executing a separate 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 "Principal Judge, Special Court for E.C & NDPS Act Cases, Madurai" 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 petitioners shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, by way of Demand Draft to the Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram and that the receipt of such payment shall be produced before the concerned Magistrate at the time of executing the bond;

[c] the petitioners shall report before the respondent police daily Morning at 10.30 a.m., and Evening 05.00 p.m., until further orders.

[d] the petitioners shall not abscond either during investigation or trial.



[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
20/06/2022

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 PRINCIPAL JUDGE
SPECIAL COURT FOR E.C & NDPS ACT CASES.
MADURAI

2 THE SUB INSPECTOR OF POLICE,
LATHERI POLICE STATION, VELLORE
DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM

4 THE SUPERINTENDENT,
WOMEN PRISON, VELLORE

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



5 THE ARIGNAR ANNA MEMORIAL
CANCER HOSPITAL & RESEARCH INSTITUTE,
KANCHEEPURAM.

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+2 CC to M/S.R.CHAKKARAVARTHY Advocate on payment of necessary
charges SR.Nos.9503 & 9502

CRL Ops.14181 & 14182/2022

Date :20/06/2022

JPA 21/06/2022