



Crl.O.P.No.16631 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2022

CORAM

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

Crl.O.P.No.16631 of 2022

RagulNidhish

...Petitioner

Vs.

State rep. by
The Inspector of Police,
Vadavalli, Coimbatore District.
Crime No.342 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in connection with Crime No.342
of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Sivakumar

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER



Crl.O.P.No.16631 of 2022

The petitioner, who was arrested and remanded to judicial custody on 09.06.2022 for the offences punishable under Sections **8(c), 20(b) (ii) (B) and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985** in crime No.342 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, the petitioner along with other accused were involved in possession of 1.300kgms of ganja along with 18 Nos of chocolates mixed with narcotic drugs. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and further submitted that the petitioner is a college student. Further, on instruction, he would submit that in order to show his bonafide, the petitioner is ready and willing to deposit a sum of Rs.20,000/- to **Adyar Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai. .** Therefore, he prays to grant anticipatory bail to the petitioner.



Crl.O.P.No.16631 of 2022

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4. The learned Additional Public Prosecutor would submit that the petitioner is in conscious possession of 700 grams of ganja. Hence, he opposed for grant of bail to the petitioner.

5. Considering the above fact that the recovery made from the petitioner is not a commercial quantity and also considering the period of incarceration undergone by the petitioner from the date of arrest ie., from 09.06.2022, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner shall deposit a sum of Rs.20,000/- (Rupees Twenty thousand only) directly to **Adyar Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai** and on such deposit 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 Additional District Judge/ Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore** and on further conditions that:



Crl.O.P.No.16631 of 2022

[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 deposit a sum of Rs.20,000/-(Rupees twenty Thousand only) directly to the **Adyar Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai** and that the receipt of such payment shall be produced before the concerned Magistrate at the time of executing the bond;

[c] the petitioner shall stay at Vellore and report before the **Sathuvachari police station twice daily at 10.30 a.m., and 04.30 p.m., for a period of four weeks and thereafter report before the respondent until further orders.**

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

[e] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court



Crl.O.P.No.16631 of 2022

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.

18.07.2022

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To

1. learned Additional District Judge/ Presiding Officer,
Special Court for Essential Commodities Act Cases, Coimbatore
- 2.The Inspector of Police,
Vadavalli, Coimbatore District.
3. Central Prison,
Coimbatore
- 4.The Public Prosecutor,
High Court of Madras

G.K.ILANTHIRAIYAN, J.

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Crl.O.P.No.16631 of 2022

Crl.O.P.No.16631 of 2022

18.07.2022