



Crl.O.P.No.17958 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2022

CORAM

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

Crl.O.P.No.17958 of 2022

Karthick @ Tape Karthick

..Petitioner

Vs.

The Inspector of Police,
H-8 Thiruvottiyur Police Station,
Chennai.
(Crime No.344 of 2022)

..Respondent

PRAYER:Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.344 of 2022 on the file of Inspector of Police, Police station.

For Petitioner : Mr.R.Mukesh Kannah

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.04.2022 for the offence punishable under Sections 8 (c) r/w 22(c) and 29(i) of NDPS Act, in Crime No.344 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 found in possession of 25 numbers of banned MDMA tablets. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner was arrested and remanded to judicial custody on 10.04.2022. He would further submit that the petitioner is ready to deposit an amount of Rs.25,000/- to the **Adyar Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai.** Hence, he prays for grant of bail to the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent police would submit that there are totally six accused in which, the petitioner is arrayed as A3. The petitioner along with other accused were found in possession of 25 numbers of banned MDMA tablets. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case, and taking note of the fact that the petitioner has come forward to deposit an amount of Rs.25,000/- (Rupees Twenty Five Thousand only), by way of Demand Draft to the **Adyar Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai**, and also taking note of the fact that the petitioner is in judicial custody from 10.04.2022, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) by way of Demand Draft to the **Adyar Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai** and on such deposit, the petitioner is ordered to be



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released on bail on their 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, Thiruvottiyur 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 deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) by way of Demand Draft 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 report before the respondent Police daily Morning at 10.30 a.m. and Evening 05.00 p.m, 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.



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[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 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.

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G.K.ILANTHIRAIYAN, J.

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To

- 1.The Judicial Magistrate, Thiruvottiyur.
- 2.The Inspector of Police,
H-8 Thiruvottiyur Police Station,
Chennai.
- 3.The Central Prison-II,
Puzhal.
- 4.The Public Prosecutor,
High Court of Madras

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