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CrI.OP.No.18707 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2022

CORAM

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

CrI.OP.No.18707 of 2022

1.Alla Yaswanth Kumar Reddy
2.Alla Ramachandan Reddy
3.Chaganti Jaswanth Reddy

..Petitioners

Vs.

The State Rep By
Inspector of Police,
T12 Selaiyur Police Station, Chennai.
(Cr.No.384 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail pending investigation in Crime
No.384 of 2022(on the file of the Respondent).

For Petitioners : Mr.R.C.Paul Kanagaraj

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

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 12.07.2022 for the offence under Sections 8(c) r/w



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20(b)(ii)(B) of NDPS Act in crime No.384 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners along with another accused person was found in possession of 3.8 kgs of Ganja. Hence, the case was registered against the petitioners.

3.The learned counsel appearing for the petitioners would submit that a false case has been foisted against the petitioners. He would also submit that the petitioners were arrested and remanded to judicial custody on 12.07.2022. Hence, he prays for grant of bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that the petitioners along with another accused person was found in possession 3.8 kgs of Ganja. Hence, he vehemently opposed to grant bail to the petitioners.



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5. Considering the above facts and circumstances of the case and considering the period of incarceration, this Court is inclined to grant bail to the petitioners. Accordingly, each of the petitioners shall deposit a sum of Rs.10,000/-(Rupees Ten Thousand only), by way of Demand Draft to the **Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai** and on such deposit the petitioners are ordered to be 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 Principal Sessions Judge for NDPS Act Cases, Chennai** 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] **each of the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only), by way of Demand Draft to the 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 petitioners shall report before the respondent police



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twice daily at 10.30 a.m. and 5.30 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.

05.08.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Principal Sessions Judge for NDPS Act cases, Chennai.
- 2.The Inspector of Police,
T12 Selaiyur Police Station, Chennai.
- 3.Saidapet,
Sub-Jail.
- 4.The Public Prosecutor,
High Court of Madras

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