



WEB COPY



CrI.OP.No.19654 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2022

CORAM

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

CrI.OP.No.19654 of 2022

Shanthamoorthi

..Petitioner

Vs.

The Inspector of Police,
P-1 Pulianthope Police Station,
Chennai.

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner/accused on bail in Crime No.261/2022
on the respondent police.

For Petitioner : Mr.C.Jagan

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

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 15.07.2022 for the offence under Sections 8(c), 20(b)(ii)(B)
of NDPS Act in crime No.261 of 2022 on the file of the respondent



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police, seeks bail.

2. The case of the prosecution is that, based on the secret information, the respondent police intercepted the accused persons and found them with possession of 2.100 Kgs of Ganja. Hence, the complaint.

3. Even according to the case of the prosecution, all the accused persons were in possession of 2.100 Kgs of Ganja. It is below commercial quantity.

4. Considering the above facts and circumstances of the case, and also the period of incarceration by the petitioner from the date of arrest i.e., 15.07.2022, this Court is inclined to grant bail to the petitioner. Accordingly, the **petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) as non refundable deposit to the credit of COVID-19 SALEM DISTRICT; SB.A/c No : 190601000434; IFSC code : ICIC0006119; The Personal Assistant**



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(General) to the Collector, Collectorate, Room No.117, First Floor, Salem-636 001, Ph.No.9445008148, 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 sureties, each for a like sum to the satisfaction of the **learned X Metropolitan Magistrate, Egmore, Chennai – 8** 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) as non refundable deposit to the credit of COVID-19 SALEM DISTRICT; SB.A/c No : 190601000434; IFSC code : ICIC0006119; The Personal Assistant (General) to the Collector, Collectorate, Room No.117, First Floor, Salem-636 001, Ph.No.9445008148 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 twice daily at 10.30 a.m. and 5.30 p.m., for a period of six weeks and thereafter as and when required for interrogation.

[d] the petitioner shall not abscond either during investigation



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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 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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mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The X Metropolitan Magistrate, Egmore, Chennai-8.
- 2.The Inspector of Police,
P-1 Pulianthope Police Station,
Chennai.
- 3.Central Prison, Puzhal. Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

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