



WEB COPY



Crl.O.P.No.20623 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2022

CORAM

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

Crl.O.P.No.20623 of 2022

Nagaraj @ Vellai Nagaraj

...Petitioner

Vs.

The state
Rep by Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai.

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.167/2022 on the file
of the respondent police.

For Petitioner : Mr.N.Nishar Ahamed

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

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 12.03.2022 for the offences punishable under Sections **8(c)**



Crl.O.P.No.20623 of 2022

and 22(c) of NDPS Act, 1985 in crime No.167 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, based on the secret information the petitioner along with other accused were intercepted near MPT Ground, New Washermenpet and A1 was found in possession of methamphetamine weighing 51 grams. Hence, the case.

3. Even according to the case of the prosecution, there are two accused, in which the petitioner is arrayed as A2. Entire contraband was seized from A1 weighing 51 gms of Methamphetamine. Only on the confession of the A1, the petitioner is implicated as an accused. Except confession statement, there is no other material to connect the petitioner as an accused in this case.

4. Considering the facts and circumstances of the case and also the period of incarceration undergone by the petitioner from the date of arrest i.e., from 12.03.2022, this Court is inclined to grant bail to the



Crl.O.P.No.20623 of 2022

petitioner.

5. Accordingly, 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 XV MM, GT Court, 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] the petitioner shall report before the respondent police twice daily at 10.30 a.m., and 05.30 p.m., for a period of six weeks and thereafter as and when required for interrogation.

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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] 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]**.



Crl.O.P.No.20623 of 2022

WEB COPY

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

30.08.2022

mpl

To

- 1.The XV MM, GT Court, Chennai.
- 2.The Inspector of Police,
H-5, New Washermenpet Police Station,
Chennai.
- 3.Puzhal Prison, Chennai.
- 4.The Public Prosecutor,
High Court of Madras



WEB COPY



Crl.O.P.No.20623 of 2022

G.K.ILANTHIRAIYAN, J.

mpl

Crl.O.P.No.20623 of 2022

30.08.2022