



Crl.OP.No.20992 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2022

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.OP.No.20992 of 2022

1.Vignesh
2.Prasath

... petitioners

Vs.

State represented by
The Inspector of Police,
P-3 Vyasarpadi Police Station,
Chennai District.
(Crime No.331 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioners on bail in the above said Crime No.331 of
2022 pending investigation on the file of the respondent police.

For petitioners : Mr.K.Madhan

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl. Side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 01.08.2022 for the offences punishable under Sections 8(c), 22(b) and 29(1) of NDPS Act 1985 in Crime No.331of 2022 on the file of respondent police, seek bail.

2. The case of the prosecution is that on specific information, the petitioners was intercepted by the respondent and on search, the petitioners were found to be in possession of 22 strips of Nitrovet 10 tablets. Hence, the case.

3. Learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He would further submit the petitioners are in custody from 01.08.2022 for the past 39 days and there is no previous case pending against them. Hence, he seeks to enlarge the petitioners on bail.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioners were found to be in possession of 22 strips of Nitrovet 10 tablets. He would further submit the petitioners have got one previous case for the offences under Section 384 and 344 of IPC. Hence, he vehemently opposed to grant bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case, the submissions made by the learned counsel and also the period of incarceration suffered by the petitioners from 01.08.2022, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Metropolitan Magistrate Court, Egmore X** and on further conditions that:



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[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 petitioners shall report before the **respondent police every day at 10.30 a.m., and 5.30 pm., until further orders;**

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 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];**



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

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shk

To

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



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A.D.JAGADISH CHANDIRA,J.

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