



WEB COPY



CrI.O.P.No.21908 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

CORAM

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

CrI.O.P.No.21908 of 2022

A.Vignesh

... Petitioner

Vs.

State represented by,  
The Inspector of Police,  
J-9, Thuraipakkam Police Station,  
Chennai – 600 097.  
(Crime No.246/2022).

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
pleased to enlarge the petitioner on bail in Crime No.246/2022 on the file of  
respondent police.

For Petitioner : Mr.L.Rajendran

For Respondent : Mr.C.E.Pratap  
Government Advocate (CrI.side)



WEB COPY



Crl.O.P.No.21908 of 2022

## **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 26.07.2022 for the offences punishable under Sections 8(c) read with 20(b)(ii)(c) of Narcotic Drugs & Psychotropic Substances Act, 1985 in Crime No.246 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 was found in possession of 2.4 Kgs of Ganja. Hence, the case.

3. The learned Counsel for the petitioner would submit that the petitioner has no previous case pending as against him and the co-accused who has been similarly placed was enlarged on bail. He would further submit that the petitioner is under custody for nearly 90 days and hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner along with other accused was



Crl.O.P.No.21908 of 2022

found in possession of 2.4 Kgs of Ganja. He would further submit that there is no previous case pending as against the petitioner. However, he opposed for grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts and the submissions made by the learned counsel, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty five thousand only)** with **two sureties (one among the sureties shall be either father or mother of the petitioner)**, each for a like sum to the satisfaction of **Principal Special Court Under EC & NDPS Act Chennai - 104** and on further conditions that:



Crl.O.P.No.21908 of 2022

[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 everyday at 10.30 a.m., until further orders;**

[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]*;

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

**19.10.2022**

mpl



Crl.O.P.No.21908 of 2022

WEB COPY

To

1. The Principal Special Court Under EC & NDPS Act  
Chennai - 104.
2. The Inspector of Police,  
J-9, Thuraipakkam Police Station,  
Chennai – 600 097.
3. Central Prison,  
Puzhal, Chennai.
4. The Public Prosecutor,  
High Court of Madras.



WEB COPY



Crl.O.P.No.21908 of 2022

**A.D.JAGADISH CHANDIRA.,J.**

mpl

**Crl.O.P.No.21908 of 2022**

**19.10.2022**