



Crl.O.P.No.23567 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2022

CORAM

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

Crl.O.P.No.23567 of 2022

M.Gokul Raj

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
T-4, Maduravoyal Police Station,
Chennai.
(Crime No.434 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner/accused on bail concerned in Crime No.434
of 2022, on the file of the respondent Police.

For Petitioner : Mr.C.Srinivasan

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



Crl.O.P.No.23567 of 2022

WEB COPY

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioner was found in possession of 1.100 Kgs of Ganja and Tydol 100 Tablets-5 boxes, each containing 10 strips (1 Strip = 10 tablets), totally 500 tablets. He would further reiterate that there are no previous cases as against the petitioner. However, he vehemently opposed to grant bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel and also the fact that the Ganja seized is not a commercial quantity and the tablets seized are also not a scheduled substance, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail



Crl.O.P.No.23567 of 2022

on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with **two sureties (out of which, one surety should be a blood related surety)**, each for a like sum to the satisfaction of the **learned Judicial Magistrate-II, Poonamallee**, 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, daily at 10.30 a.m., and 05.30 p.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]*;



Crl.O.P.No.23567 of 2022

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

11.10.2022

rgi

To

1. The Judicial Magistrate-II, Poonamallee.
2. The Inspector of Police,
T-4, Maduravoyal Police Station,
Chennai.
3. The Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

A.D.JAGADISH CHANDIRA., J.



WEB COPY



Crl.O.P.No.23567 of 2022

rgi

Crl.O.P.No.23567 of 2022

11.10.2022