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CrI.OP.No.25077 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2022

CORAM

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

CrI.OP.No.25077 of 2022

1.M.Ramamoorththi
2.Sakthivel

..Petitioners

Vs.

The State Represented by,
Inspector of Police,
Palacode Police Station,
Dharmपुरi District.
Crime No. 301 of 2022

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail in connection with Crime
No.301/2022 on the file of respondent police.

For Petitioners : Mr.C.Palanisamy

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



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 30.08.2022 for the offences punishable under Sections 8(c) read with Section 20(b)(ii)(B) of NDPS Act in Crime No.301 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioner along with other accused were found in possession of 2 kg 100 grams of ganja. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the seized quantity is also an inbetween quantity and the petitioner has been suffering incarceration from 30.08.2022. Hence, he prays for grant of bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that, petitioner along with other accused were found in possession of 2 kg 100 grams of ganja. He would further submit that there is one previous case pending against the first petitioner and there is no previous case pending against the second petitioner. However, he opposed for grant of bail to the petitioners.

5. Heard the learned counsels and also perused the materials available on record.

6. Taking into consideration the facts and submissions and the period of incarceration of the petitioners from the date of his arrest and also considering that the seized contraband is an inbetween quantity, this Court is inclined to grant bail to the petitioners.

7. 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



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satisfaction of the learned **Special Judge for EC / NDPS Act Cases,**

Salem and on further conditions that :-

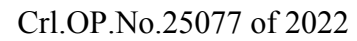
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police twice daily at 10.30.a.m., and 05.30.p.m., 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].



04.11.2022

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To

1. The Special Judge for EC/NDPS Act Cases,
Salem.
2. Inspector of Police,
Palacode Police Station,
Dharmपुरi District.
3. Central Jail,
Salem.
4. The Public Prosecutor,
High Court of Madras



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A.D.JAGADISH CHANDIRA, J.

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Crl.O.P.No.25077 of 2022

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