



CrI.O.P.No.24741 of 2022

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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.24741 of 2022

Anderson John

... Petitioner

Vs.

Inspector of Police,
J-3, Guindy Police Station,
Chennai District.
(Crime No.557 of 2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail in Crime No.557 of 2022 on the file
Inspector of Police, J-3, Guindy Police Station, Chennai Dist.

For Petitioner : Mr.P.Muthamizh Selvakumar

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.08.2022 for the offences punishable under Sections 8(C), 22(a), 22(b), 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.557 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 TYDOL – 10 mg (600 Nos of tablets). Hence, the case.

3. The learned Counsel for the petitioner would submit that the respondent has foisted a false case as against the petitioner and in fact, it is true that the petitioner is an habitual offender. He would further submit that the respondent has earlier registered 2 cases under Section 380 of IPC and in order to curtail the further activities of the petitioner, this case has been foisted against him. He would further submit that the contraband is not a narcotic substance and it is only non – commercial in nature. The petitioner



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is under custody from 18.08.2022 and there is no previous case as against him under NDPS Act. He would further submit that the parents of the petitioner are no more. 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 found in possession of TYDOL – 10 mg (600 Nos of tablets). He would further submit that there are 4 previous cases pending as against the petitioner. Hence, 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**



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thousand only) with two sureties (one among the sureties shall be either brother or sister of the petitioner), each for a like sum to the satisfaction of learned IX Metropolitan Magistrate Saidapet 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 everyday at 10.30 a.m. and 5.30 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]*;



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

19.10.2022

mpl

To

1. The IX Metropolitan Magistrate, Saidapet.
2. The Inspector of Police,
J-3, Guindy Police Station,
Chennai District.
3. Central Prison - Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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