



Crl.OP.No.25777 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2022

CORAM

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

Crl.OP.No.25777 of 2022

Karthikeyan

..Petitioner

Vs.

The State Represented by,
Inspector of Police,
R-8, Vadapalani Police Station,
Chennai.
Crime No.288 of 2022

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail pending investigation in Crime
No.288 of 2022 on the file of the respondent.

For Petitioner : Mr.R.Mohan

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.09.2022 for the offences punishable under Sections 8(c) read with Section 20(b)(ii)(B) and 25 of NDPS Act in Crime No.288 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 illegal possession of 11 kgs of Ganja. The specific overt act as against the petitioner is that 500g of ganja has been recovered from the petitioner. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that as per the FIR, 10.5 grams of ganja was recovered from A1 and A2 and only 500g of ganja has been recovered from the petitioner. He would further submit that the petitioner has been suffering incarceration from 28.09.2022. 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 illegal possession of 11 kgs of Ganja. The specific overt act as against the petitioner is that 500g of ganja has been recovered from the petitioner. He would further submit that there is no previous case pending against the petitioner. However, he opposed for grant of bail to the petitioner.

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 petitioner from the date of his arrest, 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**, each for a like sum to the satisfaction



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of the learned **Principal Special Judge (EC & NDPS) Session Judge,**
City Civil Court Complex, Chennai District 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 twice 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



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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 absconds, a fresh
FIR can be registered under Section 229A IPC.

04.11.2022

Sma

To

1. Principal Special Judge (EC & NDPS) Session Judge,
City Civil Court Complex, Chennai District.
2. Inspector of Police,
R-8, Vadapalani Police Station,
Chennai.
3. Sub Jail,
Saidapet, Chennai.
4. The Public Prosecutor,
High Court of Madras



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A.D.JAGADISH CHANDIRA, J.

Sma

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