



Crl.O.P.No.11480 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.05.2023

CORAM

THE HONOURABLE MR. JUSTICE A.A. NAKKIRAN

Crl.O.P.No.11480 of 2023

Mani @ Deccan Mani

... Petitioner

Vs.

State represented by,
Inspector of Police,
R-4, Soundara Pandiyanar Angai Police Station,
Chennai District.
(Crime No.65 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail, in Crime No.65 of 2023, on the file
of the respondent police.

For Petitioner : Mr.R.Rajadurai

For Respondent : Mr.N.Muthuvel
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.04.2023, in connection with Crime No.65 of 2023 registered for the offences punishable under Sections 8(c) r/w 20 (b) (ii) (B) of Narcotic Drugs and Psychotropic Substances Act, seeks bail.

2.The case of the prosecution is that based on the secret information, when the respondent police was conducting inspection near T.Nagar, they found the petitioner along with other accused were in illegal possession of 1.380 grams of ganja and seized the contraband and also the bike of the petitioner. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He is a law abiding citizen. He further submitted that the petitioner is in judicial custody from 13.04.2023 and hence, he prayed for grant of bail to the petitioner.



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4. Learned learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner along with other accused were found to be in possession of 1.380 grams of ganja which is an intermediate quantity. He further submitted that there are nine previous cases against the petitioner. Hence, he strongly opposed for grant of bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in incarceration for the past 35 days and the contraband involved in the present case is an intermediate quantity, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 of the **learned XVII Metropolitan Magistrate, Saidapet, Chennai** and on further conditions that:

[a] the sureties shall affix their photographs and
Left Thumb Impression in the surety bond and the



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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 on every Saturday 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.

gv

18.05.2023



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To

1. The XVII Metropolitan Magistrate, Saidapet, Chennai
2. The Inspector of Police,
R-4, Soundara Pandiyanar Angai Police Station,
Chennai District.
3. The Central Prison,
Puzhal, Chennai
4. The Public Prosecutor,
High Court of Madras.



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A.A.NAKKIRAN, J.

gv

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