



Crl.O.P.No.13524 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2023

CORAM

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

Crl.O.P.No.13524 of 2023

Indalkumar

... Petitioner

Vs.

State Rep. by
Inspector of Police,
Perumanallur Police,
Tiruppur.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail concerned in Crime No. 169 of
2023 on the file of the respondent.

For Petitioner : Mr.P.Thinesh

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.05.2023 for the offences punishable under **Sections 8(c)r/w20(b)(ii)(B) of NDPS Act** in Crime No. 169 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 14.05.2023, based on a secret information, when the respondent police intercepted the accused, who is the petitioner herein, he was found in possession of 1.500 kgs. of Ganja Hence, this case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that submit that the petitioner is ready and willing to furnish solvent sureties and to abide by any stringent condition that may be imposed on him. Hence, he prayed for grant of bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police vehemently opposed for grant of bail to the petitioner stating that the petitioner was found in possession of 1.500 Kgs. of Ganja. He would further submit that there is no previous case pending as against the petitioner.

5. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent police and perused the materials available on record including the FIR.

6. This Court taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant of bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with two sureties out of which, one surety shall be the



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blood relative of the petitioner, each for a like sum to the satisfaction of the **learned Additional District Judge/Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore** 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 every day at 10.30 a.m.,

[c] the petitioner shall not abscond during trial;

[d] the petitioner shall not tamper with evidence or witness during 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 petitioners released on bail by the learned Magistrate/Trial Court himself as laid



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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.

19.06.2023

mfa

To

1. The Additional District Judge/Presiding Officer,
Special Court for Essential Commodities Act Cases,
Coimbatore.
2. The Inspector of Police,
Perumanallur Police,
Tiruppur.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA,J.,

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