



Crl.O.P.No.13903 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2023

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

Crl.O.P.No.13903 of 2023

Ranjith Rout

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
NIB - CID Vellore Police Station,
Vellore District.

(Crime No.16 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner/accused on bail, in connection with the
Crime No.16 of 2023, pending investigation on the file of the respondent
Police.

For Petitioner : Mr.C.Deepakkumar

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 12.05.2023 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act, in Crime No.16 of 2023, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that when the respondent and his team were on their regular patrol duty, they found that the accused was in illegal possession of 9 kgs of Ganja. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner, who is a resident of Odisha, is an innocent person and he came to Tamil Nadu in search of a job and due to language problem, he has been unnecessarily roped in this case. He would further submit that even as per the prosecution, the contraband alleged to have been recovered from the petitioner is of an intermediate quantity. He would also submit that the petitioner is in custody from 12.05.2023, hence, he prayed for grant of bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the petitioner/accused was found to be in illegal possession of 9 kgs of Ganja and that the petitioner is a native of Odisha. He further submitted that no previous case is pending against the petitioner. Hence, he opposed for grant of bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner submitted that the blood relative of the petitioner are ready to stand as surety to the petitioner and he is ready to furnish proof of his permanent residence. However, without prejudice to his defence, the petitioner is ready and willing to deposit a substantial amount to any welfare scheme run by the Government as may be directed by this Court. Hence, he prayed for grant of bail to the petitioner.

6. 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.



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7. On considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of "The Dean/ Medical Officer, Government Medical College and Hospital, Adukkamparai, Vellore", without prejudice to her rights and contentions before the trial Court.

8. Merely, because the petitioner deposits the said amount, it would not amount to admission of her guilt. Therefore, it is open to the trial Court to deal with the case independently.

9. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

10. Accordingly, the petitioner is ordered to be released on bail on condition to make a non-refundable deposit of **Rs.30,000/- (Rupees Thirty Thousand only)** to the credit of "**The Dean/Medical Officer, Government**



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Medical College Hospital, Adukkamparai, Vellore", without prejudice to her rights and contentions before the trial Court, on such deposit and production of proof, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.10,000/- (Rupees Ten thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, 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 petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] At the time of furnishing sureties, the blood related surety shall convince the learned Magistrate with regard to his/her permanent residence;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take



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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]***;

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

22.06.2023

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To

1. The Judicial Magistrate No.II,
Salem.
2. The Inspector of Police,
NIB - CID Vellore Police Station,
Vellore District.
3. The Central Prison,
Salem.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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