



WEB COPY



CrI.OP.No.14709 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.07.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

CrI.OP.No.14709 of 2023

M.Vijayakumar

..Petitioner

Vs.

The State Rep by
Inspector of Police,
Tiruppur North Police Station,
Tiruppur City.
Crime No.733 of 2023

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.733 of 2023 on the
file of the Tiruppur North Police Station, Tiruppur City.

For Petitioner : M/s.P.Monika

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI.side)



Crl.OP.No.14709 of 2023

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.05.2023 for the offences punishable under Sections 8(c) and 20(b)(ii)(B) of NDPS Act in Crime No.733 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is implicated as an accused on the basis of the confession statement of the co-accused. Petitioner is in Judicial Custody from 08.05.2023. Therefore, he prays for grant of bail to the petitioner.

3. In response, the learned Government Advocate (Crl. Side) submitted that, no contraband was recovered from the petitioner. The confession statement of the co-accused shows that, it was the petitioner who procured the ganja from the Andhra Pradesh and sold it to other accused. Hence, he opposed for grant of bail to the petitioner.

4. In the light of the submission made by the learned counsel



Crl.OP.No.14709 of 2023

appearing for the parties, it is made clear that there was no recovery from the petitioner and he is implicated only on the basis of the confession statement of the co-accused. It is further seen that, 1st accused in this case is the mother of the petitioner.

5. Taking into consideration of the fact that the petitioner is in Judicial Custody from 08.05.2023 and that substantial part of the investigation might have been completed by this time, this Court is inclined to grant bail to the petitioner.

5. 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 **Judicial Magistrate, No.I, Tiruppur** 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.



CrI.OP.No.14709 of 2023

[b] the petitioner shall report before the respondent police daily 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 absconds, a fresh FIR can be registered under Section 229A IPC.

04.07.2023

Sma



Crl.OP.No.14709 of 2023

WEB COPY

To

1. Judicial Magistrate, No.I, Tiruppur
2. Inspector of Police,
Tiruppur North Police Station,
Tiruppur City.
3. Central Prison,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras

G.CHANDRASEKHARAN. J.



WEB COPY



CrI.OP.No.14709 of 2023

Sma

CrI.O.P.No.14709 of 2023

04.07.2023