



WEB COPY



Crl.O.P.No.22589 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.OP.No.22589 of 2023

Manigandan (A2)

...Petitioner

Vs.

State represented by

The Inspector of Police,

D1, Chengalpattu Town Police Station,

(Crime No.439 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in pending investigation in Crime No.439 of 2023 on the file of the respondent police.

For Petitioner : Mr.D.Padmanabhan

For Respondent : Mr.R. Kishore Kumar
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.08.2023 for the offence punishable under Sections 8(c) and 22(b)(ii)(B) of NDPS Act, in Crime No.439 of 2023 on the file of the respondent police, seeks bail.



Crl.O.P.No.22589 of 2023

WEB COPY

2. The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 1.100 grams of ganja. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent stated that there are totally 5 accused in this case and the petitioner is arrayed as A2. He further stated that the petitioner along with other accused were found in possession of 1.100 grams of ganja and it is an intermediate quantity. He further stated that there is no previous case pending against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.



Crl.O.P.No.22589 of 2023

[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.

03.10.2023

mps/ata

To

- 1.The Judicial Magistrate No.I.
Chengalpattu District.
- 2.Sub-Jail,
Chengalpattu District.
- 3.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.



WEB COPY



Crl.O.P.No.22589 of 2023

mps/ata

Crl.OP.No.22589 of 2023

03.10.2023