



Crl.OP.No.22730 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2023

CORAM

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

Crl.OP.No.22730 of 2023

S.Kalai

...Petitioner

Vs.

The Inspector of Police,
PEW Triplicane Unit,
Chennai.
Crime No.60 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.60 of 2023 on the file of the Inspector of Police, PEW Triplicane Unit.

For Petitioner : Mr.C.Raja

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Crl side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.06.2023 for the offence punishable under Sections 8(C) r/w 20(b)(ii)(B) of NDPS Act in Crime No.60 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner stated that petitioner is innocent and he has been falsely implicated in this case. Thus, he seeks for grant of bail to the petitioner.

3. The learned Government Advocate (Criminal side) stated that, respondent police, on 12.06.2023 had taken the petitioner into custody for the alleged possession of 5.150 kgs of ganja along with other accused at Triplicane Railway Station. It is stated that the petitioner was also arrested in another case in Crime No.210 of 2023 for the possession of 1.250 kgs of ganja. In that crime number, petitioner had been granted bail on 17.08.2023. However, he prays for dismissal of this petition.

4. Taking into consideration of the fact that, bail had been granted



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to the petitioner in other case in Crime No.210 of 2023, and also the fact that the possession in this case is of intermediate quantity, this Court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on their 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 XIV Metropolitan Magistrate, Egmore, Chennai**, 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 daily at 10.00 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



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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.

16.10.2023

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To

- 1.The XIV Metropolitan Magistrate, Egmore, Chennai.
- 2.Central Prison, Puzhal (Women).
- 3.The Inspector of Police,
PEW Triplicane Unit,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras

C.V.KARTHIKEYAN. J.



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