



WEB COPY



CrI.OP.No.23336 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2023

CORAM

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

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Anand @ Boxer Anand

...Petitioner

Vs.

State by
Inspector of Police,
P-2, Otteri Police Station,
Otteri, Chennai 12.
Crime No.974 of 2022

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner/Accused on bail concerned in Crime No.974 of 2022 pending on the file of the respondent police.

For Petitioner : Mr.G.Vignesh

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

ORDER

The petitioner/A2, who was arrested and remanded to judicial custody on 26.04.2023 for the offence punishable under Sections 8(c),



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20(b)(ii)(B) of NDPS Act, in Crime No.974 of 2022 on the file of the respondent police, seeks bail.

2.It is stated that on 21.12.2022, A1 was found in possession of 3.200 kgs of Ganja and the petitioner was also standing there. Based on the confession of A1, the petitioner has been taken into custody.

3.It is also stated that the petitioner is taking treatment for dislocation of hip bone for the past two years. A1 in this case had been granted bail.

4.Taking that factor into consideration and the period of incarceration, 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 condition to execute 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 Judicial Magistrate, Egmore, 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



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Bank pass Book to ensure their identity.

[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.

11.10.2023

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To

1.The Judicial Magistrate, Egmore.

2.Central Prison, Puzhal.



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C.V.KARTHIKEYAN. J.

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3.The Inspector of Police,
P-2, Otteri Police Station,
Otteri, Chennai 12.

4.The Public Prosecutor,
High Court of Madras.

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