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Crl.OP.Nos 23421 & 23422 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 17.10.2023**

**CORAM**

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

**Crl.O.P.Nos.23421 & 23422 of 2023**

Pasal

... Petitioner in both Crl.OPs

Vs.

The State Rep.by  
The Inspector of Police,  
D5, Marina Police Station,  
Chennai.

... Respondent in both Crl.OPs.

**COMMON PRAYER:** Criminal Original Petitions filed under Section 439 of Cr.P.C., pleaded to enlarge the petitioner on bail pending trial in C.C.Nos. 146 of 2018 and 135 of 2020 on the file of the Principal Special Court Under EC & NDPS Act, Chennai.

**In both Crl.OPs**

For Petitioner : Mr.P.Thinesh

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

**COMMON ORDER**



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The petitioner seeks bail in C.C.Nos.146 of 2018 and 135 of 2020 now pending on the file of the Principal Special Court Under EC & NDPS Act, Chennai.

2.In both the cases, Non Bailable Warrant has been issued on 03.11.2022 and 21.03.2023 respectively and the petitioner had been secured on 18.07.2023.

3. The petitioner is the sole accused. It is stated that due to his ill health, the petitioner could not appear before the Court.

4.Taking into consideration all the facts and the period of incarceration undergone by the petitioner, 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, (out of which, one should be either mother or father of the petitioner) each for a like sum to the satisfaction of the **Principal Special Court under EC & NDPS Act cases, Chennai** and on further conditions that:

[a] the sureties shall affix their photographs and



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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., for a period of two weeks and thereafter, every Monday, until completion of the trial and also appear on all hearing dates without fail, except for unforeseen circumstances;**

[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.

**17.10.2023**

vkrr

**C.V.KARTHIKEYAN, J.**



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To

1. The Principal Special Court,  
Under EC & NDPS Act, Chennai.
2. The Inspector of Police,  
D5, Marina Police Station,  
Chennai.
3. The Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,  
High Court of Madras.

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