



CrI.OP.No.23557 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM

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

CrI.OP.No.23557 of 2023

Karthick (Tappa Karthick)
S/o.Sekar

... Petitioner

Vs.

State represented by
C-1, Flower Bazar Police Station,
Chennai.
(Crime No.70 of 2023)

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in C.C.No.684 of 2023, on the file of the Principal Special Court for NDPS Act cases, Chennai.

For Petitioner : Mr.O.Chembulingam

For Respondent : Mr.R. Kishore Kumar

Government Advocate (Criminal Side)

ORDER

Petitioner seeks bail in C.C.No.684 of 2023, on the file of the Principal Special Court for NDPS Act cases, Chennai, which had been taken cognizance consequent to the filing of the charge sheet in Crime No.70 of 2023, which had been registered by the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(B) of NDPS Act.



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2.The learned counsel for the petitioner submitted that the petitioner is no way connected with the alleged offence and he was falsely roped into this case. Thus, he prays for grant of bail to the petitioner.

3.It is stated by the learned Government Advocate (Criminal Side) that the petitioner was found in possession of 5.400 Kgs of Ganja, which is an intermediate quantity. He was taken into custody on 06.05.2023. It is also stated that there is one previous case registered as against the petitioner. So far as this case is concerned, investigation has been completed and charge sheet has also been filed. Thus, he prayed for dismissal of this petition.

4.In view of the facts and circumstances of the case and in order to provide an opportunity to the petitioner to participate in the trial, this Court is inclined to grant bail to the petitioner subject to the following conditions. Accordingly, the petitioner is ordered to be released on bail on she executing a bond **for a sum of Rs.10,000/- (Rupees Ten**



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Thousand only) with two sureties, each for a like sum to the satisfaction of **the VIII Metropolitan Magistrate, George Town, Chennai**, 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 Principal Special Court for NDPS Act Cases, Chennai, everyday Morning 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



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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.

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To

1.The VIII Metropolitan Magistrate, George Town, Chennai.

2.The Central Prison,
Puzhal.

3.The Public Prosecutor,
High Court of Madras.

4.The Inspector of Police,
C-1, Flower Bazar Police Station,
Chennai.
(Crime No.70 of 2023)



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C.V.KARTHIKEYAN. J.

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