



Crl.O.P.No. 23535 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

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

Crl.O.P.No.23535 of 2023

Siva

... Petitioner

Vs.

State rep by the Inspector of Police,
Thudiyalur Police Station,
Coimbatore District.
(Crime No.527 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.527 of 2023 on the file of
respondent police.

For Petitioner : Mr.K.Tamilvanan

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 11.08.2023 for the offence punishable under Sections 8(c) r/w. 20(b)(ii)(B) of NDPS Act, 1985 in Crime No.527 of 2023 on the file of the respondent police, seeks bail.

2.It is stated that the petitioner was found in possession of 4 kgs of Ganja, which is an intermittent quantity. It is also stated that there is no previous case against the petitioner and two other accused had already been granted bail.

3.Taking all these factors into consideration and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions.

4. Accordingly, the petitioner is ordered to be released on bail on his 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 Additional District Judge / Presiding Officer, Special Court For Essential Commodities Act, cases, Coimbatore and on further conditions that :-

[a] the sureties shall affix their photographs and Left



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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 10.30 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.

18.10.2023

smv

C.V.KARTHIKEYAN, J.



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smv

To

1. The learned Additional District Judge / Presiding Officer, Special Court,
for Essential Commodities Act Cases, Coimbatore.
2. The Inspector of Police
Thudiyalur Police Station,
Coimbatore District.
3. The Sub Jail, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

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