



WEB COPY



Crl.OP.No.23816 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.No.23816 of 2023

Bharat Yadav

... Petitioner

Vs.

State by
Inspector of Police,
PEW-Ranipet Police Station,
Ranipet District.
(Crime No.578 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in Crime No.578 of 2023 on the file
of Inspector of Police, PEW-Ranipet Police Station, Ranipet District.

For Petitioner : Mr.M.R.Elavarasan

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 01.09.2023 for the offence punishable under Section 8(c) r/w 20(b)(ii)(B) of NDPS Act, in Crime No.578 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 3 kgs of Ganja near Ammur Railway Station, which is an intermediate quantity.

3.It is stated on behalf of the respondent that the petitioner is the native of Bihar and there is every possibility of him absconding.

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 the blood surety of the petitioner) each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Salem and on further conditions that:



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[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 everyday 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.

17.10.2023

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C.V.KARTHIKEYAN, J.

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To

1. The Judicial Magistrate - I, Salem.
2. The Inspector of Police,
PEW-Ranipet Police Station,
Ranipet District.
3. The Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.

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