



CrI.O.P.No.25111 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2023

CORAM

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

CrI.O.P.No.25111 of 2023

Pintunayak S/o. Devendranayak

...Petitioner/Accused

Vs.

The State rep. by
The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram District.

(Crime No.730 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.730 of 2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.A.Gowtham

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



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ORDER

The petitioner seeks bail in Crime No.730 of 2023, registered under Sections 8(c), 20(b)(ii)(B) of NDPS Act. The petitioner had been remanded to judicial custody on 24.08.2023.

2.The other accused/A2, A3 and A4 had been granted bail.

3.It is the case of the prosecution that the petitioner, a resident of Odisha, was in possession of 5 kgs of ganja. It is stated that the petitioner had supplied the said ganja to the other accused.

4.The learned counsel for the petitioner however stated that the petitioner is innocent of the offences and also stated that the quantity which had been seized is only intermediate quantity. It had also been stated that the petitioner would abide by any condition imposed by this Court.

5.It is represented that that investigation has been completed.

6.Taking into consideration all these factors, I am inclined to grant bail to the petitioner subject to the following conditions:

7.Accordingly, the petitioner is ordered to be released on bail on his



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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 Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Villupuram, and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

[b] The petitioner shall report before the respondent police on every Monday, Wednesday and Friday at 10.30 a.m., till filing of charge sheet and the charge sheet being filed and the same is taken cognizance, appear before the concerned Court on every Monday at 10.30 a.m., until further orders, apart from the Court hearing dates.

[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



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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 Special Court for Trial of Narcotic Drugs and Psychotropic Substances Act Cases, Villupuram.
2. The Central Prison, Cuddalore.
3. The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram District.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.



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