



Crl.O.P.No.24393 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2023

CORAM

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

Crl.O.P.No.24393 of 2023

Annamalai S/o. Varadhan

... Petitioner/ Accused

Vs.

The State rep by
The Inspector of Police,
T-14, Mangadu Police Station,
Avadi.

(Crime No.531 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail in Crime No.531 of 2023
pending investigation on the file of the respondent police.

For Petitioner : Mr.B.Manikandan

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



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ORDER

The petitioner seeks bail in C.C.No.847 of 2023, now pending before the Principal Special Court under EC & NDPS Act, Chennai. Originally the Crime No.531 of 2023 had been registered under Sections 8(c), 20(b)(ii)(B) & 25 of NDPS Act.

2.The petitioner had been taken into custody on 16.06.2023 with alleged possession of 2.500 kgs of ganja.

3.It is stated that there are several previous cases pending against the petitioner herein but the learned counsel for the petitioner stated that in all the cases, the petitioner had been granted bail.

4.Taking into consideration the fact that investigation had been completed and that the petitioner has to be given an opportunity to defend the case and also the contraband seized was of intermediate quantity, I am inclined to grant bail to the petitioner subject to the following conditions:

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



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condition to execute 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 Principal Special Court under EC & NDPS Act, Chennai, and 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 trial Court on every Monday at 10.30 a.m., till disposal of the case, apart from the Court hearing dates, except for unavoidable 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



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of Kerala [(2005)AIR SCW 5560].

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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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To

- 1.The Principal Special Court under EC & NDPS Act, Chennai.
- 2.The Central Prison, Puzhal, Chennai.
- 3.The Inspector of Police,
T-14, Mangadu Police Station,
Avadi.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

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