



Crl.O.P.No.24514 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2023

CORAM

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

Crl.O.P.No.24514 of 2023

Jothi @ Jothi Ganesh

... Petitioner/Accused-2

Vs.

State by
The Inspector of Police,
Chintadaripet Police Station,
Chennai.

(Crime No.91 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner on bail concerned in C.C.No.574 of 2023 on the file of the Principal Special Judge for NDPS and EC Act Cases, Chennai.

For Petitioner : Mr.Ilayaraja Kandasamy

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



WEB COPY



CrI.O.P.No.24514 of 2023

ORDER

The petitioner is A2 in C.C.No.574 of 2023, now pending before the Principal Special Judge for NDPS and EC Act Cases, Chennai, seeks bail. Originally Crime No.91 of 2023 had been registered for the offences punishable under Sections 8(c) and 20(b)(ii)(B) of NDPS Act, 1985. The petitioner had been remanded to judicial custody on 27.04.2023.

2.It is stated that all the accused were found in possession of 2.300 kgs of ganja.

3.It is also stated that A1 and A5 had been granted bail and the matter is now posted for further progress in the trial.

4.In view of all these facts, I am inclined to grant bail to the petitioner subject to the following condition:

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, each for a like sum to the satisfaction of the XIV Metropolitan Magistrate Court, Egmore, and on further conditions that:



Crl.O.P.No.24514 of 2023

WEB COPY

[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 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.

09.11.2023

ata

C.V.KARTHIKEYAN. J.



Crl.O.P.No.24514 of 2023

WEB COPY

To

ata

- 1.The XIV Metropolitan Magistrate Court, Egmore, Chennai.
- 2.Central Prison-II, Puzhal, Chennai.
- 3.The Inspector of Police,
Chintadaripet Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.24514 of 2023

09.11.2023