



Crl.OP.No.24956 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2023

CORAM

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

Crl.OP.No.24956 of 2023

Abdul Siddiq S/o. Abdul Rasul

... Petitioner/Accused No.1

Vs.

State by
The Inspector of Police,
D-5, Marina Police Station,
Chennai.

(Crime No.212 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in Crime No.212 of
2023 pending on the file of the respondent police.

For Petitioner : Mr.M.Hussaini Basha

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



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ORDER

The petitioner seeks bail in Crime No.212 of 2023, registered by the respondent police for the offences punishable under Sections 8(c) r/w 20(b)(ii)B and 25 of NDPS Act, 1985. The petitioner had been remanded to judicial custody on 06.10.2023.

2. It had been stated that the petitioner was found in possession of 1.100 Kgs of ganja.

3. It is stated on behalf of the respondent that there are two previous cases pending similar in nature as against the petitioner herein and three cases under IPC.

4. It is also stated that one of the accused is absconding but however, taking all these factors into consideration and the fact that the quantity of ganja seized is an intermediate quantity, I am inclined to grant bail to the petitioner herein subject to the following conditions:



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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 II Metropolitan Magistrate Court, Egmore, 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 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



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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 II Metropolitan Magistrate Court, Egmore, Chennai.
- 2.Central Prison for men, Puzhal, Chennai.
- 3.The Inspector of Police,
D-5, Marina Police Station, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

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