



Crl.O.P.No.24877 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2023

CORAM

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

Crl.O.P.No.24877 of 2023

Vetrivel

...Petitioner

Vs.

State represented by the
The Inspector of Police,
N4, Fishing Harbour Police Station,
Chennai.
(Crime No.99 of 2022)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail pending trial in C.C.No.479 of 2022 on the file of the Special Judge, II Additional Special Court under NDPS Act, Chennai.

For Petitioner : Mr.K.Sarath Kumar

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

ORDER

The petitioner/A5 seeks bail in C.C.No.479 of 2022 now pending before the learned Special Judge, II Additional Special Court under NDPS



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Act, Chennai. Originally, Crime No.99 of 2022 had been registered by the respondent for the offences under Sections 8(c), 20(b)(ii)(B), 22(c), 25 and 29(1) of NDPS Act. He had been taken into custody on 25.04.2023.

2. There are totally 5 accused in this case. The case of the prosecution is that the accused were found in possession of 2 kgs of ganja and 20 LSD stamps.

3. It is stated by the learned counsel for the petitioner that A1 to A4 had been granted bail by this Court.

4. On the side of the respondent, it is stated that there are 11 previous cases against the petitioner including one under Section 302 of IPC.

5. Taking into consideration the period of incarceration and also of the fact that the other accused had been granted bail, this Court is inclined to grant bail to the petitioner with certain conditions.

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



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learned XVI Metropolitan Magistrate, George Town, Chennai, 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 everyday at 10.30 a.m and 5.30 p.m., until further orders and also appear before the trial Court on all 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 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.

20.11.2023

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C.V.KARTHIKEYAN. J.

vkr

To

1. The XVI Metropolitan Magistrate, George Town, Chennai.
2. The Central Prison, Puzhal.
3. The Inspector of Police,
N4, Fishing Harbour Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

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