



WEB COPY



Crl.O.P.No. 25128 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2023

CORAM

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

**Crl.O.P.No.25128 of 2023**

Prakash @ Lal

... petitioner

Vs.

The Inspector of Police,  
T-5, Thiruverkadu Police Station,  
Chennai

(Crime No. 502 of 2023)

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 439 of Cr.P.C.,

pleased to enlarge the petitioner / Accused on bail pending investigation in

Crime No.502 of 2023 on the file of the respondent.

For petitioner : Mr.D.Manoj Kumar

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

**ORDER**

The petitioner who is an accused in C.C.No.756 of 2023 now pending before the learned Principal Special Judge under NDPS Act, Chennai, seeks bail.

2.It is stated that the petitioner had been remanded to judicial



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custody on 30.07.2023 for the offence punishable under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act for the alleged possession of 3 kgs of Ganja.

3. There is one previous case of similar nature against the petitioner but it had ended in acquittal according to the learned counsel for the petitioner. There are also 10 previous cases registered under IPC against the petitioner.

4. Taking into consideration the period of incarceration and the fact that the investigation has been completed, this Court is inclined to grant bail to the petitioner with certain conditions.

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 learned Judicial Magistrate No.II, Poonamalle 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 till completion of the trial apart from the Court hearing dates except for unforeseen**



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**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 of Kerala [(2005)AIR SCW 5560].

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

**16.11.2023**

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To

1. The Judicial Magistrate No.II, Poonamalle.
2. The Central Prison, Puzhal.



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**C.V.KARTHIKEYAN, J.**

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3. The Inspector of Police,  
T-5, Thiruverkadu Police Station,  
Chennai

4. The Public Prosecutor,  
High Court of Madras.

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