



CrI.O.P.No.26277 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**

CrI.O.P.No.26277 of 2023

Akash

...Petitioner

Vs.

State represented by the
The Inspector of Police,
T-3 Pallavaram Police Station,
Chennai.
(Crime No.731 of 2023)
...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.731 of 2023 on the file of respondent police on such terms and conditions.

For Petitioner : Mr.O.Chembulingam

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

ORDER

The petitioner/A2 seeks bail in Crime No.731 of 2023, registered by the respondent police for the offences punishable under Sections 8(c)



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r/w 20(b)(ii)(B), 29(1) of NDPS Act. He had been remanded to judicial custody on 08.10.2023.

2.The case of the prosecution is that the accused were found in illegal possession of 1.200 kgs of Ganja.

3.It is stated by the learned counsel for the petitioner that from A1 only, 1.200 kgs of ganja had been seized and there has been no recovery from the petitioner. He also stated that A1 and A3 had been granted bail.

4.It is stated by the learned Government Advocate that there is one previous of similar nature against the petitioner.

5.Taking all the factors into consideration, 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 District Munsif cum Judicial Magistrate, Pallavaram, 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.



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[b] the petitioner shall report before the respondent police 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.

20.11.2023

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To

1. The District Munsif cum Judicial Magistrate, Pallavaram.
2. The Central Prison, Puzhal.
3. The Inspector of Police,
T-3 Pallavaram Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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