



CrI.O.P.No.26267 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.26267 of 2023

Vicky @ Vignesh

...Petitioner

Vs.

State represented by the
The Inspector of Police,
Chintadaripet Police Station,
Chennai.
(Crime No.91 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.91 of 2023 on the file of respondent police on such terms and conditions.

For Petitioner : Mr.Ilayaraja Kandaswamy

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

ORDER

The petitioner/A3 seeks bail in Crime No.91 of 2023, registered by the respondent police for the offences punishable under Sections 8(c) r/w



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20(b)(ii)(B) @ 8(c) r/w 20(b)(ii)(B), 25 and 29(1) of NDPS Act. He had been remanded to judicial custody on 27.04.2023.

2.It is stated that the petitioner was found in possession of 2.400 kgs of ganja. It is also stated that A1, A2, A4 and A5 had been granted bail.

3.On the side of the respondent, it is stated that there are two previous cases registered under IPC against the petitioner.

4.However, the final report had been filed and taken cognizance as C.C.No.574 of 2023 now pending before the Principal Special Court under EC & NDPS Act, Chennai.

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 XIV Metropolitan Magistrate, Egmore, 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 Principal Special Court under EC & NDPS Act, Chennai on every Monday apart from the Court hearing dates, till completion of the trial;

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



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C.V.KARTHIKEYAN. J.

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