



WEB COPY



Crl.O.P.No.27342 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM

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

Crl.OP.No.27342 of 2023

1.Susanta Singh
2.SwapanSingha

...Petitioners

Vs.

The State, represented by,
Inspector of Police,
NIB CID Vellore Police Station,
Vellore District.
(Crime No.29 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in FIR in Crime No.29 of 2023 on the file of the respondent police.

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

ORDER

The petitioners seek bail in Crime No.29 of 2023 registered by the respondent Police for the offences under Sections 8 (c) r/w 20(b) (ii) (B) NDPS Act, 1985. The petitioners were remanded to judicial custody on 26.09.2023.



Crl.O.P.No.27342 of 2023

WEB COPY

2.The earlier application seeking bail was dismissed on 08.11.2023 in Crl.O.P.No.25521 of 2023. It is stated that the information was received about transportation of ganja and the petitioners were travelling by train No.22605 in Coach No.@10 and when search was conducted at Katpadi Railway Station, the petitioners were found in illegal possession of 4.200 Kgs of ganja.

3.The learned counsel for the petitioners stated that the petitioners have been in custody for substantial number of days and also stated that blood sureties to each of the petitioners may also be produced to show bonafide.

4. Taking the period of incarceration suffered by the petitioners into consideration and the ganja seized is an intermediate quantity, I am inclined to grant bail to the petitioner subject to the following conditions.

5. Accordingly, the petitioners are ordered to be released on bail on condition to execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties (**out of which, one surety must be a blood surety and the other must be a local surety**), each for a like sum to the satisfaction of the **Judicial Magistrate Court No.2, Salem** and on



CrI.O.P.No.27342 of 2023

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 petitioners shall report before the respondent police everyday at 10.00 a.m., until further orders.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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 petitioners 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.

11.12.2023

sli



WEB COPY



Crl.O.P.No.27342 of 2023

C.V.KARTHIKEYAN, J.

sli

To

1. The Judicial Magistrate Court No.2, Salem.

2.The Inspector of Police,
NIB CID Vellore Police Station,
Vellore District.
(Crime No.29 of 2023)

3.The Central Prison, Salem.

4.The Public Prosecutor, Madras High Court.

Crl.OP.No.27342 of 2023

11.12.2023