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CrI.O.P.No.27444 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2023

CORAM

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

CrI.OP.No.27444 of 2023

Hari Vignesh @ Hari

...Petitioner

Vs.

The Inspector of Police,
Tambaram – PEW Police Station,
Chennai.

Crime No.157 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.157 of 2023 on the file of the respondent police.

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

ORDER

The petitioner/A3 in Crime No.157 of 2023 registered for the offences under Sections 8(C) r/w 20 (b) (ii) (B), 25, 29 (1) NDPS Act and remanded to judicial custody on 13.07.2023 seeks bail.



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2.Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side).

3.It is the case of the prosecution that the accused persons were found in possession of 13.350 Kgs of ganja. It is also seen that the other accused had been granted bail.

4.Taking all the factors into consideration, the period of incarceration suffered by the petitioner and the fact that the ganja seized is an intermediate quantity, this Court is inclined to grant bail to the petitioner subject to the following 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 **Judicial Magistrate I , Tambaram, Chennai**, and on further conditions that:

[a] the sureties shall affix their photographs and



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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 respondent police everyday at 10.00 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.

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15.12.2023



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C.V.KARTHIKEYAN, J.

sli

To

1. The Judicial Magistrate I, Tambaram, Chennai.

2.The Inspector of Police,
Tambaram – PEW Police Station,
Chennai.
Crime No.157 of 2023

4.Central Prison, Puzhal II.

4.The Public Prosecutor, Madras High Court.

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