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Crl.O.P.Nos.27266 & 27267 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2023

CORAM

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

Crl.O.P.Nos.27266 & 27267 of 2023

1.Vijayakumar S/o. Ramu

... Petitioner/A1
in Crl.O.P.No.27266 of 2023

2.Rajesh S/o. Arjunan

... Petitioner/A2
in Crl.O.P.No.27267 of 2023

Vs.

The State represented by
The Inspector of Police,
PEW-Poonamallee Police Station,
Avadi City.
(Crime No.484 of 2023)

... Respondent in both Crl.O.Ps

COMMON PRAYER: Criminal Original Petitions filed under Section 439 of Cr.P.C., prayed to enlarge the petitioners on bail in Crime No.484 of 2023 on the file of the respondent.

(In both petitions)

For Petitioner : Mr.R. Parthiban

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



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COMMON ORDER

The petitioner/A1 has filed Crl.O.P.No.27266 of 2023 and the petitioner/A2 has filed Crl.O.P.No.27267 of 2023. Both in Crime No.484 of 2023, registered by the respondent police for the offences punishable under Sections 8(c), 20(b)(ii)(B) of NDPS Act, seek bail. They had been taken into custody on 07.10.2023.

2.It is stated that A1 and A2 were in possession of 12 kgs of ganja (each 6 kgs).

3.Taking into consideration the period of detention and the fact that there is no previous case against the petitioners, I am inclined to grant bail to the petitioner in both the petitions with certain conditions:

4.Accordingly, the petitioners are ordered to be released on bail on their executing separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate Court No. II, Thiruvallur, 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.



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[b] the petitioners shall appear before the respondent police daily at 10.30 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 petitioners 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.

01.12.2023

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C.V.KARTHIKEYAN, J.

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To

- 1.The Judicial Magistrate Court No.II, Thiruvallur
- 2.The Inspector of Police,
PEW-Poonamallee Police Station,
Avadi City.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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