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CrI.O.P.No.27215 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2023

CORAM

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

CrI.OP.No.27215 of 2023

Hemanth Ram Kumar

...Petitioner

Vs.

State, represented by,
The Inspector of Police,
PEW Anna Nagar Police Station,
Chennai District.
(Crime No.704 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.704 of 2023 on the file of the respondent police.

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

ORDER

The petitioner/A2 seeks bail in Crime No.704 of 2023 registered by the respondent Police for the offences under Sections 8 (c), 20(b) (ii) (B) NDPS Act, 1985. The petitioner was remanded to judicial custody on 12.10.2023.



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2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

3. Originally 1.950 Kgs of ganja had been recovered from A1 on 12.10.2023 and on his confession, from A2/petitioner herein, 2.05 Kgs of ganja had been seized.

4. Taking the period of incarceration suffered by the petitioner into consideration and the ganja seized is an intermediate quantity and the petitioner herein has no previous case against him, I am 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 **learned 10th Metropolitan Magistrate, Egmore**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may



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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.

07.12.2023

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C.V.KARTHIKEYAN, J.

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To

1. The 10th Metropolitan Magistrate, Egmore.
- 2.The Inspector of Police,
PEW Anna Nagar Police Station,
Chennai District.
(Crime No.704 of 2023)
- 3.The Central Prison, Puzhal.
- 4.The Public Prosecutor, Madras High Court.

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