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CrI.O.P.No.27395 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.27395 of 2023

1.Sarit Limma
2.Samrat

...Petitioners

Vs.

State represented by,
The Inspector of Police,
Pallavaram Police Station,
Tambaram City,
(Crime No.768 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.768 of 2023 on the file of the respondent police.

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

ORDER

The petitioners seek bail in Crime No.768 of 2023 registered by the respondent Police for the offences under Sections 8 (c) r/w 20(b) (ii) (B), 29 (1) NDPS Act, 1985. The petitioner was remanded to judicial custody on 17.10.2023.



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2.It is stated that there was three accused and recovery of 1.400 kgs of ganja.

3.Taking all these factors into consideration and considering the period of incarceration, I am inclined to grant bail to the petitioners subject to the following conditions:

4.Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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 District Munsif cum Judicial Magistrate, Pallavaram, 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 his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

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



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[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.

07.12.2023

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To

1. The District Munsif cum Judicial Magistrate, Pallavaram.
2. The Central Jail, Puzhal.
3. The Inspector of Police,
Pallavaram Police Station,
Tambaram City,
Chennai.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN, J.

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