



CrI.OP.No.27392 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2023

CORAM

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

CrI.OP.No.27392 of 2023

Suriyan

...Petitioner

Vs.

State represented by,
The Inspector of Police,
Guduvancheri Police Station,
Chengalpattu District.
Crime No.510 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.510 of 2023
on the file of the respondent police.

For Petitioner : Mr.G.Mageshkumar

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal side)



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ORDER

The petitioner/A3, who was arrested and remanded to judicial custody on 13.10.2023 in Crime No.510 of 2023 for the offences punishable under Sections 8(c), 20(b)(ii)(B) NDPS Act on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner stated that the petitioner is an innocent person and he has been falsely implicated in this case. The petitioner had been remanded to custody on 13.10.2023. He further stated that the petitioner is ready to abide by any stringent condition imposed by this Court. Hence, he prays for grant of bail to the petitioner.

3.The learned Government Advocate (Criminal side) stated that there are totally three accused. The 1st accused was found in possession of 1.300 kgs of ganja. The 2nd and 3rd accused were found in possession of 100 grams of ganja each. There are four previous cases as against the petitioner under IPC offences.



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4. Taking into consideration the quantity of ganja and the period of incarceration, 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 Judicial Magistrate-II, Chengalpattu** 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.

[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



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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.

05.12.2023

gd

To

1. The Judicial Magistrate-II, Chengalpattu
2. The Inspector of Police,
Guduvancheri Police Station,
Chengalpattu District.
3. Central Prison, Puzhal.
4. The Public Prosecutor,
Madras High Court.



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C.V.KARTHIKEYAN, J.

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