



WEB COPY



CrI.OP.No.27286 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM

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

CrI.OP.No.27286 of 2023

Elango

...Petitioner

Vs.

State Rep by
Inspector of Police,
T-4, Shankar Nagar Police Station,
Crime No.610/2023.

...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.610 of 2023 on the file of the respondent police.

For Petitioner : Mr.A.Samson
For Respondent : Mr.R.Kishore Kumar
Government Advocate (Criminal side)

ORDER

The petitioner/A1 seeks bail in Crime No.610 of 2023, registered under Sections 8 (c) r/w 20 (b)(ii)(B), 25 & 29 (1) NDPS Act. The petitioner was remanded to custody on 06.10.2023.



CrI.OP.No.27286 of 2023

WEB COPY

2.The learned counsel for the petitioner stated that the petitioner is an innocent person and he has been falsely implicated in this case. Thus, he prays for grant of bail to the petitioner.

3.It is stated that there are totally two accused and they were found in possession of 5.200 Kgs of Ganja. There are six previous cases against the petitioner herein, including one under NDPS Act, but that is of the year 2021.

4.Taking into consideration the period of incarceration suffered by the petitioner and other surrounding factors, 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 **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



Crl.OP.No.27286 of 2023

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.

11.12.2023

sli



WEB COPY



Crl.OP.No.27286 of 2023

C.V.KARTHIKEYAN, J.

sli

To

1. The Judicial Magistrate, Pallavaram.

2. The Inspector of Police,
T-4, Shankar Nagar Police Station,
Crime No.610/2023.

3. Central Prison, Puzhal.

4. The Public Prosecutor,
Madras High Court.

Crl.OP.No.27286 of 2023

11.12.2023