



Crl.O.P.No.27703 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2023

CORAM

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

Crl.OP.No.27703 of 2023

Yokesh

...Petitioner

Vs.

State, Rep.by
Inspector of Police,
P-4, Basin Bridge Police Station,
Chennai,
Crime No.503/2023.

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

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

ORDER

The petitioner is an accused in Crime No.503 of 2023 registered for the offences under Sections 8(c) and 20(b)(ii)(B) NDPS Act.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side).



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3.The learned Government Advocate (Criminal side) stated that the respondent police found the petitioner in possession of 1.50 kgs of ganja. Two other accused are still absconding.

4.The learned counsel for the petitioner stated that the petitioner is a college student.

5.The earlier bail application was dismissed on 27.11.2023, in Crl.O.P.No.26903 of 2023.

6.The learned Government Advocate (Crl.Side) stated that the respondent had taken strenuous efforts to secure A2 & A3 and the police party had also gone over to the residence of A2 & A3, but they had disappeared.

7.Taking the period of incarceration into consideration, this Court is inclined to grant bail to the petitioner subject to the following conditions. 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



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two sureties, each for a like sum to the satisfaction of the **X Metropolitan Magistrate, Egmore, Chennai**, 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 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.

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To

1. The X Metropolitan Magistrate, Egmore, Chennai.

2.The Inspector of Police,
P-4, Basin Bridge Police Station,
Chennai,
Crime No.503/2023.

4.Central Prison, Puzhal.

4.The Public Prosecutor, Madras High Court.

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