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CrI.O.P.No.27605 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2023

CORAM

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

CrI.OP.No.27605 of 2023

Amal Krishnan

...Petitioner

Vs.

The State rep. by,
The Inspector of Police,
PEW – Poonamallee Police Station,
Chennai.

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

For Petitioner : Mr.G.D.Pon Prabhakaran

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

ORDER

The petitioner seeks bail in Crime No.541 of 2023 registered by the respondent Police for the offences under Section 8(c) & 20(b)(ii) (B) of NDPS Act.



CrI.O.P.No.27605 of 2023

2.It is stated that the petitioner was found in possession of 1.500 Kgs of ganja and remanded to judicial custody on 03.11.2023. There are no previous cases pending against the petitioner herein.

3. Taking all the factors into consideration and the period of incarceration suffered by the petitioner and that the ganja seized is an intermediate quantity, I am inclined to grant bail to the petitioner subject to the following conditions.

4. 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 (**out of which, one surety must be a blood surety and the other surety should be a local surety**), each for a like sum to the satisfaction of the **learned Judicial Magistrate No.1, Poonamallee**, 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.



Crl.O.P.No.27605 of 2023

[b] the petitioner shall report before the respondent everyday at 10.00 a.m., until further orders.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

08.12.2023

sli



Crl.O.P.No.27605 of 2023

C.V.KARTHIKEYAN, J.

sli

To

1. The Judicial Magistrate No.1, Poonamallee.

2.The Inspector of Police,
PEW – Poonamallee Police Station,
Chennai.

3.Central Prison, Puzhal, Chennai.

4.The Public Prosecutor, Madras High Court.

Crl.OP.No.27605 of 2023

08.12.2023