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CrI.O.P.No.27886 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2023

CORAM

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

**CrI.OP.No.27886 of 2023**

Dillip Kumar Parida

...Petitioner

Vs.

State: Inspector of Police,  
Prohibition Enforcement Wing,  
Gudvanchery, Chennai.  
Crime No.318 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.318 of 2023 on the file of the respondent police.

For Petitioner : Mr.M.J.Srinivas  
For Respondent : Mr.R.Kishore Kumar  
Government Advocate (CrI.Side)

**ORDER**

The petitioner seeks bail in Crime No.318 of 2023 registered on 11.10.2023 for the offences under Sections 8(c) and 20 (b) (ii) (B) NDPS Act and remanded to judicial custody on the same day with possession of 3.200 Kgs of ganja.



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

3.The learned Government Advocate (Criminal side) raised an objection that the petitioner is a native of Odisha. The learned counsel for the petitioner however stated that the blood surety/brother has offered himself as surety for the petitioner herein to ensure that the petitioner does not abscond from the judicial process.

4.Taking into consideration, the period of incarceration suffered by the petitioner and that the ganja seized is an intermediate quantity, this Court is 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 (**out of which, one surety must be a blood surety and the other one should be a local surety**), each for a like sum to the satisfaction of the **Judicial Magistrate II, Chengalpattu**, and on further conditions that:



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[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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**C.V.KARTHIKEYAN, J.**

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To

1. The Judicial Magistrate II, Chengalpattu.
- 2.The Inspector of Police,  
Prohibition Enforcement Wing,  
Gudvanchery, Chennai.  
Crime No.318 of 2023.
- 4.Sub Jail, Chengalpattu.
- 4.The Public Prosecutor, Madras High Court.

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