



WEB COPY



Crl.O.P.No.27789 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2023

CORAM

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

Crl.OP.No.27789 of 2023

Praveen @ Karuppu Praveen

...Petitioner

Vs.

State rep. by
The Inspector of Police,
Rathinapuri Police Station,
Coimbatore City,
Coimbatore District.
(Crime No.416 of 2022)

...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.416 of 2022 on the file of the respondent police.

For Petitioner : Mr.W.Camyles Gandhi
For Respondent : Mr.R.Kishore Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner/A14 out of 17 accused in Crime No.416 of 2022 registered by the respondent Police for the offences under Sections 272, 273, 328 IPC and Section 8 (c) r/w 20 (b) (ii) (C) 25 NDPS Act and remanded to



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judicial custody on 16.08.2023 seeks bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

3.The FIR had been registered on 30.07.2022. It is the case of the prosecution that A1 is the supplier of Ganja and all the other accused are prospective purchasers. Similarly placed accused, who are termed as prospective purchasers had been granted bail by my learned Predecessor. This petitioner had been remanded to custody on 16.08.2023. A1 had also been granted bail by an order of the learned Single Judge, in Crl.O.P.No.2968 of 2023, dated 15.02.2023.

4. In view of all these facts and taking into consideration the period of incarceration and the further fact that no recovery of ganja from this petitioner, 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**



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Thousand only) with two sureties, each for a like sum to the satisfaction of the **Additional District Judge/Presiding Officer, Special Court for Essential Commodities Act cases, Coimbatore**, 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



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down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

C.V.KARTHIKEYAN, J.

sli

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

13.12.2023

sli

To

1.The Additional District Judge/Presiding Officer,
Special Court for Essential Commodities Act cases,
Coimbatore.

2.The Inspector of Police,
Rathinapuri Police Station,
Coimbatore City,
Coimbatore District.
(Crime No.416 of 2022)

3.Central Prison, Coimbatore.

4.The Public Prosecutor, Madras High Court.

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