



Crl.O.P.No.28200 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2023

CORAM

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

Crl.OP.No.28200 of 2023

Brundabana Jeena

...Petitioner

Vs.

State rep.by
The Inspector of Police,
PEW Gudiyatham Police Station,
Vellore District.
(Crime No.710 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.710 of 2023 on the file of the respondent police.

For Petitioner : Mr.G.Vinodhkumar

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

ORDER

The petitioner seeks bail in Crime No.710 of 2023 registered under Sections 8 (c) r/w 20 (b)(ii)(B) NDPS Act.

2.The petitioner had been remanded to judicial custody on



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07.11.2023 with possession of 5 Kgs of ganja, which is an intermediate quantity.

3.A memo had been filed by the learned counsel for the petitioner that the wife of the petitioner is prepared to stand as a surety. Additionally, an affidavit has also been filed by the wife of the petitioner that she is ready to stand as a surety to the petitioner. The said lady may be one of the sureties and the other must be a local surety.

4. Taking all the factors into consideration, and the ganja seized is an intermediate quantity and the period of incarceration, this Court is inclined to grant bail to the petitioner.

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 the wife of the petitioner and the other must be a local surety**) each for a like sum to the satisfaction of the **Judicial Magistrate, Gudiyatham** and on further conditions that:

[a] the sureties shall affix their photographs and Left



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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, daily 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, Gudiyatham.
2. The Inspector of Police,
PEW Gudiyatham Police Station,
Vellore District.
(Crime No.710 of 2023)
3. Central Prison, Salem.
4. The Public Prosecutor, Madras High Court.

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