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CrI.O.P.No.28483 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2023

CORAM

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

CrI.OP.No.28483 of 2023

Abbas @ Pattas

...Petitioner

Vs.

State rep.by
The Inspector of Police,
T-14, Mangadu Police Station,
Avadi City,
Chennai District.
(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.C.C.Chellappan

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

ORDER

The petitioner seeks bail in Crime No.318 of 2023 registered under Sections 8 (c) r/w 20 (b)(ii)(B) NDPS Act.



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2.The petitioner had been remanded to judicial custody on 25.04.2023. After filing the final report, the same had been taken cognizance as C.C.No.649 of 2023 and is pending for trial before the Principal Special Court for EC & NDPS Act Cases, Chennai. The petitioner had been detained under Act 14 of 1982, but the said detention order had been subsequently revoked.

3. Taking all the factors into consideration and the period of incarceration and the quantity of ganja 1.500 Kgs seized is an intermediate quantity, this Court is inclined to grant bail to the petitioner.

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 each for a like sum to the satisfaction of the **Judicial Magistrate, Sriperumbudur**, 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.



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[b] the petitioner shall report before the Principal Special Court for EC & NDPS Act Cases, Chennai, daily for a period of 30 days and thereafter, every Monday till the completion of trial.

[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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21.12.2023



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C.V.KARTHIKEYAN, J.

sli

To

1. The Judicial Magistrate, Sriperumbudur.
2. The Principal Special Court for EC & NDPS Act Cases,
Chennai.
3. The Inspector of Police,
T-14, Mangadu Police Station,
Avadi City,
Chennai District.
(Crime No.318 of 2023)
4. Central Prison, Puzhal, Chennai.
5. The Public Prosecutor, Madras High Court.

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