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CrI.O.P.No.28618 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2023

CORAM

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

CrI.OP.No.28618 of 2023

Jemini @ Manikandan

...Petitioner

Vs.

State rep by,
The Inspector of Police,
B-3, Kanchi Taluk Police Station,
Kancheepuram District.
Cr.No.1269 of 2023

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in FIR in Crime No.1269 of 2023 on the file of the respondent police.

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

ORDER

The petitioner/A1 in Crime No.1269 of 2023 registered under Sections 8(c) r/w 20(b) (ii) (B) NDPS Act r/w Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and remanded to judicial custody on 30.10.2023 seeks bail.



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2.It is stated that the two accused persons were found in possession of 1.200 Kgs of ganja. It is stated that there are previous cases against the petitioner including one under Section 302 IPC. But there are no similar offences.

3.Taking the period of incarceration and that the contraband seized is an intermediate quantity, this Court is 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 each for a like sum to the satisfaction of the **Judicial Magistrate – II, Kanchipuram**, 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, daily at 10.00 a.m., until further orders.



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[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.

sli

22.12.2023

To

1. The Judicial Magistrate – II, Kanchipuram.

2.The Inspector of Police,
B-3, Kanchi Taluk Police Station,
Kancheepuram District.
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3.Central Prison, Puzhal.

4.The Public Prosecutor, Madras High Court.



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C.V.KARTHIKEYAN, J.

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