



Crl.OP.No.28857of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2023

CORAM

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

Crl.OP.No.28857 of 2023

Nandha @ Nandhini

...Petitioner/A.2

Vs.

State represented by
The Inspector of Police,
B-1, North Beach Police Station,
Chennai.
Crime No.249 of 2023.

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner's on bail in Crime No.249 of 2023 on the file of respondent police on such terms and conditions.

For Petitioner : Ms.R.Thangamani

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

ORDER

The petitioner/A2 in Crime No.249 of 2023, registered under Sections 8(c) r/w 20(b)(ii)(B), 29(1) of the NDPS Act, who was arrested and remanded to judicial custody on 05.9.2023 seeks bail.



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

3. There are totally three accused, It is stated that the other accused had been granted bail. The respondent had totally seized 1 kilo 500 gms of ganja from the accused persons. Taking all the factors into consideration and the period of incarceration, bail is granted.

4. In view of the facts, this Court is inclined to grant bail to the petitioner with certain conditions:

5. Accordingly, the petitioner/A2 is ordered to be released on bail on executing 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 **NDPS Special Court, Chennai 600 001**, 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/A2 shall report before the respondent Police daily at 10.30 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.

22.12.2023

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C.V.KARTHIKEYAN. J.

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To

1. NDPS Special Court,
Chennai 600 001
2. Central Prison,
Puzhal, Chennai-66.
- 3.The Inspector of Police,
B-1, North Beach Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

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