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CrI.O.P.No.28613 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.28613 of 2023

M.Surya

...Petitioner

Vs.

State represented by,
The Inspector of Police,
R-11, Ramapuram Police Station,
Chennai.
Crime No.264 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.264 of 2023 on the file of the respondent police.

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

ORDER

The petitioner/A2 in Crime No.264 of 2023 registered under Sections 8(c) r/w 20(b) (ii) (B), 25, 29 (i) & 22(B) NDPS Act, 1985 and remanded to judicial custody on 09.09.2023 seeks bail.



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2. There are totally five accused and it is stated that the total quantity of contraband is 2.100 Kgs of ganja and 34 grams of Methamphetamine. 1.900 Kgs of ganja had been seized from this petitioner. A3 & A4 had been arrested and granted bail.

3. Taking into consideration that the ganja seized is an intermediate quantity, the period of incarceration and A3 & A4 were granted bail, 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 – I, Poonamallee**, 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 – I, Poonamallee.

2.The Inspector of Police,
R-11, Ramapuram Police Station,
Chennai.
Crime No.264 of 2023.

3.Central Prison, Puzhal.

4.The Public Prosecutor, Madras High Court.



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C.V.KARTHIKEYAN, J.

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