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CrI.O.P.No.320 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

CORAM

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

CrI.O.P.No.320 of 2024

1.Rajendran @ Malda  
2.Karunyam @ Karuppu

... Petitioners

Vs.

The State represented by  
The Inspector of Police,  
G8, Guduvanchery Police Station,  
Chengalpattu District.  
Crime No.583 of 2023

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
prayed to enlarge the petitioners on bail in Crime No.583 of 2023 on the file  
of the respondent Police.

For Petitioners : Mr.R.Parthiban

For Respondent : Mr.L.Baskaran  
Government Advocate (crl.side)

**ORDER**

The petitioners who were arrested and remanded to judicial custody  
on 25.11.2023 for the offences registered under Sections 8(c) r/w 20(b)(ii)(B)



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of NDPS Act, in Crime No.583 of 2023 on the file of the respondent Police, seek bail.

2.It is stated that co-accused had been granted bail by the learned Principal Special Judge, Principal Special Court under EC & NDPS Act, Chennai in Crl.M.P.No.9822 of 2023 by an order dated 26.12.2023.

3.It is the case of the prosecution that the first petitioner was found in possession of 1.300 kgs of Ganja and the second petitioner was found in possession of 300 grams of Ganja.

4.It is stated by the learned Government Advocate (crl.side) that there are four previous cases against the petitioners.

5.Taking all the factors into consideration and the period of incarceration and also of the fact that the co-accused has already been granted bail, I am inclined to grant bail to the petitioners subject to the following conditions:

6.Accordingly, the petitioners are 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 learned Judicial Magistrate No.II, Chengalpet and on further conditions that:-



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[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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders.**

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

**12.01.2024**

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**C.V.KARTHIKEYAN,J.**

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To

- 1.The Judicial Magistrate No.II, Chengalpet.
- 2.The Inspector of Police,  
G8, Guduvanchery Police Station,  
Chengalpattu District.
- 3.The Sub Jail, Chengalpet.
4. The Public Prosecutor, High Court of Madras.

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