



Crl.O.P.No.406 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2024

CORAM

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

Crl.O.P.No.406 of 2024

Sarbeswar Sahoo
S/o. Maguni Sahoo

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
PEW-Perur Police Station,
Coimbatore District.
[Crime No.1309 of 2023]
...Respondent/Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.1309 of 2023 on
the file of the respondent police.

For Petitioner : Mr. C.S. Saravanan

For Respondent : Mr. L. Baskaran
Govt. Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.11.2023 for the offences punishable under Section 8(c) r/w Section 20(b)(ii)(B) of NDPS Act, 1985 in Crime No.1309 of 2023, seeks bail.

2.It is stated that the petitioner was found in possession of 22 packets of cannabis chocolates, totally weighing about 5 Kgs, which had been seized. It is stated that there are no previous cases against the petitioner.

3.But however, taking into consideration the quantity of contraband seized and the period of incarceration suffered by the petitioner herein, this Court is inclined to grant bail to the petitioner herein subject to the following condition.

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 learned Judicial Magistrate – I, Coimbatore, 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 petitioner shall report before the respondent police everyday 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.

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C.V.KARTHIKEYAN. J.

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To

1. The Judicial Magistrate – I, Coimbatore.
2. The Central Prison, Coimbatore.
3. The Inspector of Police,
PEW-Perur Police Station,
Coimbatore District.
4. The Public Prosecutor,
High Court of Madras.

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