



CrI.O.P.No.522 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.522 of 2024

Muneer Basha

... Petitioner

Vs.

The State represented by
The Inspector of Police,
D-5, Marina Police Station,
Chennai.

Crime No.250 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.250 of 2023 on the file of
the respondent Police.

For Petitioner : Mr.K.Kamal

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

ORDER

The petitioner who was arrested and remanded to judicial custody
on 17.11.2023 for the offences registered under Sections 8(c) r/w



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20(b)(ii)(B), 22(b) and 29(1) of NDPS Act, in Crime No.250 of 2023 on the file of the respondent Police, seeks bail.

2.It is the case of the prosecution that the petitioner was found in possession of 1.300 kgs of Ganja.

3.It is stated by the learned Government Advocate (crl.side) that there are 8 previous cases against the petitioner, out of which, 7 cases have been registered under IPC and one case has been registered under NDPS Act.

4.It is stated by the learned counsel for the petitioner that two of the accused have been granted bail.

5.Taking all the factors into consideration and the period of incarceration and also considering the quantity of Ganja seized, I am inclined to grant bail to the petitioner subject to the following conditions:

6.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 II Metropolitan Magistrate, Egmore, Chennai 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,



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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.

12.01.2024

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To

- 1.The II Metropolitan Magistrate, Egmore, Chennai.
- 2.The Inspector of Police,
D-5, Marina Police Station,
Chennai.
- 3.The Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN,J.

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