



CrI.O.P.No.649 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.649 of 2024

1.Deena
2.Vignesh

... Petitioners

Vs.

The State represented by
The Inspector of Police,
Vaniyambadi Police Station,
Vaniyambadi, Tirupathur District.
Crime No.566 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.566 of 2023 on the file
of the respondent Police.

For Petitioners : Mr.C.D.Sugumar

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

ORDER

The petitioners/A3 and A4 who were arrested and remanded to
judicial custody on 25.12.2023 for the offences registered under Sections



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8(c), 20(b)(ii)(A) of NDPS Act r/w Section 328 of IPC, in Crime No.566 of 2023 on the file of the respondent Police, seek bail.

2.It is the case of the prosecution that there are totally five accused and they were found in possession of 100 grams of ganja along with cash of Rs.10,130/-.

3.It is stated by the learned Government Advocate (crl.side) that there is no previous case against the petitioners.

4.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 petitioners subject to the following conditions:

5.Accordingly, the petitioners are ordered to be released on bail on condition to execute a separate 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, Vaniyambadi, Tirupathur District 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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders.



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[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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To

- 1.The Judicial Magistrate, Vaniyambadi, Tirupathur District.
- 2.The Inspector of Police,
Vaniyambadi Police Station,
Vaniyambadi, Tirupathur District.
- 3.The Central Prison, Vellore.
- 4.The Sub Jail, Vaniyambadi.
5. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN,J.

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