



CrI.O.P.No.830 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.830 of 2024

1.Shankar Singh
2.Sufiya Begam

... Petitioners

Vs.

The State represented by
The Inspector of Police,
Paramathi Police Station,
Namakkal District.
Crime No.197 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.197 of 2023 on the file
of the respondent Police.

For Petitioners : Mr.E.Viswanathan

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

ORDER

The petitioners who were arrested and remanded to judicial custody
on 04.11.2023 for the offences registered under Sections 8(c) r/w 20(b)(ii)(B)



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of NDPS Act, in Crime No.197 of 2023 on the file of the respondent Police, seek bail.

2.The learned counsel for the petitioner filed a memo seeking alteration of the satisfaction Court in the petition. While issuing order copy, the Registry may note that the satisfaction Court is the Special Court for EC & NDPS Act, Salem.

3.It is the case of the prosecution that the petitioners were found in possession of 6 kgs of Ganja.

4.It is stated by the learned Government Advocate (crl.side) that the investigation has been completed and final report had been filed before the Special Court for EC and NDPS Act, Salem.

5.In view of that particular fact, 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 Special Court for EC & NDPS Act, Salem 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



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Aadhar card or Bank pass Book to ensure their identity.

[b]the petitioners shall report before the Special Court for EC and NDPS Act, Salem, on everyday, till framing of charges and thereafter, during the Court hearing dates.

[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

vkrr

To

1.The Special Court for EC and NDPS Act, Salem.

2.The Inspector of Police,
Paramathi Police Station, Namakkal District.



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C.V.KARTHIKEYAN,J.

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3.The Central Prison, Salem.

4. The Public Prosecutor, High Court of Madras.

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