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Crl.O.P.Nos.1129 & 1134 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2024

CORAM

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

Crl.O.P.Nos.1129 & 1134 of 2024

Vinothkumar

S/o. Venkatesan

... Petitioner / A5 in Crl.O.P.No.1129 of 2024

Saran

S/o. Poovendan

... Petitioner / A4 in Crl.O.P.No.1134 of 2024

Vs.

The State represented by
The Inspector of Police,
F-2, Egmore Police Station,
Chennai District.

(Crime No.477 of 2023)

... Respondent /Complainant in both Crl.O.Ps

PRAYER: Criminal Original Petitions filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioners on bail in Crime No.477 of 2023 on the file
of the respondent.

For Petitioners : Mr. P.Muthamizh Selvakumar
(in both Crl.O.Ps)

For Respondent : Mr. L. Baskaran
Government Advocate (Crl. Side)
(in both Crl.O.Ps)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 11.12.2023 for the offences punishable under Sections 8(c) r/w Sections 20(b)(ii)(B), 22(b), 29(1), 25 of the Narcotic Drugs & Psychotropic Substance Act, 1985 in Crime No.477 of 2023 on the file of the respondent police, seek bail.

2.It is stated that there are totally five accused and A3, A4 and A5 are in judicial custody. It is also stated that A1 and A2 had been detained under the Tamil Nadu Act 14 of 1982. It is stated that all the accused were found in possession of 1.250 Kgs of Ganja apart from 10 Mg Nitravet tablets totally numbering 225 tablets, which had been seized. It is stated that there are previous cases against the petitioners herein.

3.Taking all these factors into consideration and the period of incarceration suffered by the petitioners and also the fact that the contraband seized is an intermittent quantity, I am inclined to grant bail to the petitioners subject to the following conditions:

4.Accordingly, the petitioners are ordered to be released on bail on executing separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties, each for a like sum to the satisfaction of the



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Principal Special Court under EC & NDPS Act, 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 petitioners shall appear before the respondent police daily 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.

29.01.2024

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C.V.KARTHIKEYAN, J.

smv

To

- 1.The Principal Special Court under EC & NDPS Act, Chennai.
- 2.The Inspector of Police,
F-2, Egmore Police Station,
Chennai District.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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