



Crl.O.P.No.1244 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **23.01.2024**

CORAM

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

Crl.OP.No.1244 of 2024

Rizwan

...Petitioner

Vs.

State rep by,
The Inspector of Police,
D-5, Marina Police Station,
Chennai
(Crime No.255 of 2023).

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in FIR in Crime No.255 of 2023 on
the file of the respondent police.

For Petitioner : Mr.S. Kartik

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

ORDER

The petitioner who was arrested and remanded to judicial custody
on 27.11.2023 seeks bail in Crime No.255 of 2023 for the offences registered
under Sections 8(c) r/w 20(b)(ii) (B) and 29(1) of NDPS Act,1985 on the file
of the respondent Police, seek bail.



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2.It is stated that there are totally three accused and all of them were found in possession of 1.250 kgs of Ganja.

3. The learned Government Advocate submitted that there are two previous case pending against the petitioner.

4.Taking all the factors into consideration and the quantity of the contraband and the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions.

5.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 Court at 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.



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[b] the petitioner shall report before the respondent Police, daily at 10.00 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.

23.01.2024

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C.V.KARTHIKEYAN, J.

smn

To

1.The **II Metropolitan Magistrate Court at 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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