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Crl.O.P.No.1243 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.1243 of 2024

Ajithkumar

...Petitioner

Vs.

State rep by,
The Inspector of Police,
Vaniyambadi Taluk Police Station,
Vaniyambadi, Thirupathur District.
(Crime No.566 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.566 of 2023 on
the file of the respondent police.

For Petitioner : Mr.G. Vinodhkumar

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

ORDER

The petitioner who was arrested and remanded to judicial custody
on 25.12.2023 seeks bail in Crime No.566 of 2023 for the offences registered
under Sections 8(c) r/w 20(b)(ii) (A) of NDPS Act,1985 r/w 328 of I.P.C on
the file of the respondent Police, seeks bail.



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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.

3. The learned counsel for the petitioner submitted that for the co-accused, this Court had granted bail in Crl.O.P.No.649 of 2024 vide order dated 12.01.2024.

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 Judicial Magistrate, Vaniyambadi**, 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



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ensure their identity.

[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

smn

C.V.KARTHIKEYAN, J.



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smn

To

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

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