



Crl.O.P.No.1531 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **30.01.2024**

CORAM

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

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Santhoshkumar

...Petitioner

Vs.

State rep by,
The Inspector of Police,
D-2, Anna Salai Police Station,
(Crime No.302 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.302 of 2023 on the file of the respondent police.

For Petitioner : Mr. K. Vignesh

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

ORDER

The petitioner seeks bail in Crime No.302 of 2023 registered under Sections 328 of I.P.C r/w 8(c), 20(b)(ii)(B), 22(a) and 29(1) of Narcotic Drugs and Psychotropic Substance Act on the file of the respondent police.

2.The petitioner had been remanded to judicial custody on



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30.11.2023. It is stated that the petitioner along with other accused were found in possession of Tydol 100 mg tablet 60 nos, 20 grams of ganja and 3 injenctions with a 7up bottle, apart from that cash Rs.6,320/- .

3. The learned counsel for the petitioner submitted that bail was granted to the co-accused by the learned Principal Sessions Court, City Civil Court at Chennai in Crl.M.P.No.33032 and 33035 of 2023 vide order dated 02.01.2024.

4.Taking all the factors into consideration and the fact that **tydol is not scheduled under NDPS Act** and also considering 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, Egmore, Chennai**, and on further conditions that:

[a] the sureties shall affix their photographs and Left



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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 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.

30.01.2024

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C.V.KARTHIKEYAN, J.

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To

1. The II Metropolitan Magistrate, Egmore, Chennai
2. The Inspector of Police,
D-2, Anna Salai Police Station,
3. Central Prison at Puzhal.
4. The Public Prosecutor, Madras High Court.

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30.01.2024