



WEB COPY



Crl.O.P.No.1715 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **05.02.2024**

CORAM

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

Crl.OP.No.1715 of 2024

1. Pikas Dass

2. Pikash Naik

...Petitioners

Vs.

State rep by,
The Inspector of Police,
PEW Vaniyambadi Police Station,
Thirupattur District.
(Cr.No.738 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.738 of 2023 on the file of the respondent police.

For Petitioner : Mr. C. Deepa Kumar

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

ORDER

The petitioners/A2 and A3 who were arrested on 12.12.2023 seek bail in Crime No.738 of 2023 registered under Sections 8(c), r/w 20(b) (ii) (B) of NDPS Act before the respondent police.



Crl.O.P.No.1715 of 2024

2.The petitioners were in possession of 6 Kgs of ganja, which is an intermediate quantity.

3. The main objected raised by the learned Government Advocate is that the petitioners are resident of Odisha.

4. The learned counsel for the petitioners filed a memo stating that for the first petitioner his uncle one Biren Rai and his father Chittaranjan Das will stand as a blood sureties and for the second petitioner his uncles Bipin Naik and Bishwanath Nayak will stand as a blood sureties. The learned Judicial Magistrate must take up the responsibility of verifying the sureties

5.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 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**



Crl.O.P.No.1715 of 2024

Thousand only) with two sureties each for a like sum to the satisfaction of the **learned Judicial Magistrate Court No.1, 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 Aadhar card or Bank pass Book to ensure their identity.

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



CrI.O.P.No.1715 of 2024

WEB COPY

[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 229A IPC.

05.02.2024

smn



WEB COPY



Crl.O.P.No.1715 of 2024

C.V.KARTHIKEYAN, J.

smn

To

1. The **Judicial Magistrate Court No.1, Salem.**

2.The Inspector of Police,
PEW Vaniyambadi Police Station,
Thirupattur District.(Cr.No.738 of 2023)

3.Central Prison,Salem

4.The Public Prosecutor, Madras High Court.

Crl.OP.No.1715 of 2024

05.02.2024