



Crl.O.P.No.2252 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM

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

Crl.O.P.No.2252 of 2024

Karthick @ Kaasimedu Karthick

...petitioner

Vs.

State represented by
The Inspector of Police,
H-1 Washermenpet Police Station,
Chennai.
Crime No.2563 of 2021.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in C.C.No.52 of 2022 on the file of the I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai.

For petitioner : Mr.D.Padmanabhan

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

ORDER

The petitioner is arrayed as A1 in C.C.No.52 of 2022 now pending



CrI.O.P.No.2252 of 2024

before the I Additional Special Court for Exclusive Trial of Cases under NDPS Act, Chennai.

2. There are totally three accused. The petitioner is arrayed as A1. A2 died. A3 is under the custody in yet another case and now Non Bailable Warrant had also been issued against him.

3. The learned Government Advocate (crl.side) stated that formal arrest would be effected on A3. So far as the petitioner is concerned, he absconded from judicial process on 30.01.2023 necessitating Non Bailable Warrant to be issued. The petitioner was remanded again only on 02.12.2023.

4. Originally, crime No.2563 of 2021 had been registered by the respondent Police for the offences under Sections 8(c) r/w 20(b)(ii)(B) of NDPS Act. All the accused were in possession of 1.200 kgs of Ganja.

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

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)



CrI.O.P.No.2252 of 2024

each with two sureties, (out of which, one must be a blood surety) each for a like sum to the satisfaction of the learned **I Additional Special Court for Exclusive Trial of Cases under 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 petitioner shall report before the trial Court, everyday at 10.30 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].



WEB COPY



CrI.O.P.No.2252 of 2024

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

26.02.2024

vkrr

To

1. **The I Additional Special Court for Exclusive
Trial of Cases under NDPS Act, Chennai**
2. The Central Prison II, Puzhal.
3. The Inspector of Police,
H-1 Washermenpet Police Station,
Chennai.
4. The Public Prosecutor, High Court of Madras.



WEB COPY



CrI.O.P.No.2252 of 2024

C.V.KARTHIKEYAN. J.

vkf

CrI.O.P.No.2252 of 2024

26.02.2024