



WEB COPY



Crl.O.P.No.2566 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM

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

Crl.O.P.No.2566 of 2024

Utpal Bhowmik

... Petitioner

Vs.

The State represented by
The Inspector of Police,
J-9, Thoraipakkam Police Station,
Thoraipakkam, Chennai 600 097.
Crime No.487 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.487 of 2023 on the file
of the respondent Police.

For Petitioner : Mr.M.Murugan

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

ORDER

The petitioner/A1 who was arrested and remanded to judicial
custody on 27.12.2023 for the offences registered under Sections 8(c) r/w



Crl.O.P.No.2566 of 2024

20(b)(ii)(B) of NDPS Act, in Crime No.487 of 2023, on the file of the respondent Police, seeks bail.

2.It is the case of the prosecution that the petitioner along with A2 were found in possession of 1.800 kgs of Ganja, which is an intermediate quantity.

3.Taking all other factors into consideration and considering the period of incarceration and also of the fact that the quantity of contraband seized which is an intermediate quantity, I am inclined to grant bail to the petitioners subject to the following conditions:

4.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 No.II, Alandur, 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 respondent Police, everyday at 10.30 a.m., until further orders.

[c]the petitioner shall not abscond either during investigation or trial.



Crl.O.P.No.2566 of 2024

[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.

08.02.2024

vkrr

To

1.The Judicial Magistrate No.II, Alandur.

2.The Inspector of Police,
J-9, Thoraipakkam Police Station,
Thoraipakkam, Chennai 600 097.

3.The Central Prison, Puzhal.

4.The Public Prosecutor, High Court of Madras.



WEB COPY



Crl.O.P.No.2566 of 2024

C.V.KARTHIKEYAN,J.
Vkr

Crl.O.P.No.2566 of 2024

08.02.2024