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Crl.O.P.No.2801 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2024

CORAM

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

Crl.O.P.No.2801 of 2024

P. Hari

... Petitioner

Vs.

The State represented by
The Inspector of Police,
R11 Ramapuram Police Station,
Crime No.434 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.434 of 2023 on the file
of the respondent Police.

For Petitioner : Mr.S. Jayakumar

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

ORDER

The petitioner who was arrested and remanded to judicial custody
on 21.12.2023 for the offences registered under Sections 8(c),



Crl.O.P.No.2801 of 2024

20(b)(ii)(B),29(1) and 22(b) NDPS Act, in Crime No.434 of 2023, on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused was found in illegal possession of 200 grams of Ganja and 5.4 grams of Methamphetamine.

3.It is stated by the learned Government Advocate (crl.side) that there is no recovery from this petitioner. He further submitted that the seized contraband was sent to chemical analysis and the forensic lab report alone has to be obtained.

4.Taking all the factors into consideration and also considering the quantity of contraband seized, I am 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 I, Poonamallee** 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.



Crl.O.P.No.2801 of 2024

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[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.

[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.

09.02.2024

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CrI.O.P.No.2801 of 2024

C.V.KARTHIKEYAN,J.

smn

To

1.The **Judicial Magistrate I, Poonamallee.**

2.The Inspector of Police,
R11 Ramapuram Police Station,
Crime No.434 of 2023.

3.The Central Prison, Puzhal II, Chennai

4. The Public Prosecutor, High Court of Madras.

CrI.O.P.No.2801 of 2024

09.02.2024