



Crl.O.P.No.2763 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.2763 of 2024

1. Gogul Raj

2. Aathil Basha

... Petitioners

Vs.

The State
The Inspector of Police,
T-15 Kannagi Nagar Police Station,
Crime No.594 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioners on bail in Crime No.594 of 2023 on the file
of the respondent Police.

For Petitioners : Mr.A. Samson

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

ORDER

The petitioners who were arrested and remanded to judicial



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custody on 30.12.2023 for the offences registered under Sections 8(c) r/w 20(b)(ii)(B), 22(b) and 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.594 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 were in possession of 2 kgs of ganja and 400 nos' of Tepentadol .

3.It is stated by the learned Government Advocate (crl.side) that 3 cases under section I.P.C and one case under NDPS act has been registered against the petitioner.

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 **Judicial Magistrate II Court at 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.



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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

smn



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C.V.KARTHIKEYAN,J.

smn

To

1.The **Judicial Magistrate II Court at Alandur**

2.The Inspector of Police,
T-15 Kannagi Nagar Police Station,
Crime No.594 of 2023

3.The Central Prison, Puzhal II

4. The Public Prosecutor, High Court of Madras.

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