



CrI.O.P.No.2962 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM

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

CrI.O.P.No.2962 of 2024

suresh @ Ramapuram Suresh

...petitioner

Vs.

State represented by
The Inspector of Police,
R11, Rayala Nagar Police Station,
Chennai.
Crime No.372 of 2019.

...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.25 of 2020 on the file of the Principal Special NDPS Court, Chennai.

For petitioner : Mr.P.Chandrasekar

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

ORDER

The petitioner is arrayed as A1 in C.C.No. 25 of 2020 now pending before the Principal Special NDPS Court, Chennai.



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2.Originally, crime No.372 of 2019 had been registered by the respondent Police for the offences under Sections 8(c) r/w 20(b)(ii)(B) and 29(1) of IPC.

3.The case of the prosecution is that the petitioner along with another accused were found in illegal possession of 2.300 kgs of Ganja.

4.It is stated that as against the petitioner, Non Bailable Warrant was issued on 22.02.2021 and the petitioner was remanded to judicial custody on 27.12.2022. To explain the long period of absence, the learned counsel for the petitioner stated that the petitioner was detained in Central Prison, Cuddalore between 16.09.2020 and 06.09.2021. For that reason, he could not appear before the court.

5.This fact has now been verified by the respondent.

6.However, it is stated that there are 31 previous cases against the petitioner, out of which, in 22 cases, he had been acquitted. He had also stated that he is a history sheeted and he had been detained under Act 14 of 1982 in the year 2019.

7.But viewing this incident in an isolated manner, since bail had been granted earlier and the petitioner had been incarcerated in Central



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Prison, Cuddalore, this Court is inclined to grant bail to the petitioner subject to the following conditions:

8. 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) each with two sureties, (out of which, one must be a blood surety) each for a like sum to the satisfaction of the learned **Principal 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., till completion of the trial.

[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



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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.

26.02.2024

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To

1. The Principal Special Court for Exclusive Trial of Cases under NDPS Act, Chennai
2. The Central Prison II, Puzhal.
3. The Inspector of Police,
R11, Rayala Nagar Police Station,
Chennai.
- 4.The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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