



Crl.O.P.No.3068 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2024

CORAM

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

**Crl.O.P.No.3068 of 2024**

Chennammal

...Petitioner

Vs.

State represented by  
The Inspector of Police,  
Thiruvannamalai Town Police Station,  
Thiruvannamalai District.  
(Crime No.167 of 2021)

...Respondent

**PRAYER:** Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in respect of the Special Judge for EC/NDPS cases Salem in Spl.C.C.No.175 of 2023 on the file of Inspector of Police, Thiruvannamalai Town Police Station, Thiruvannamalai.

For petitioner : Mr.S. Prabhu

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

**ORDER**



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The petitioner is an accused in Spl.C.C.No.175 of 2023 pending trial before the learned Special Judge for EC/NDPS cases Salem.

2.Originally, Crime No.158 of 2017 had been registered by the respondent Police for the offences punishable under Sections 8(c) r/w 20(b) (ii) ( C ), 29(1) of NDPS Act. The petitioner was arrested on 28.06.2023.

3.It is stated that the occurrence took place on 18.04.2021 and the petitioner along with two accused were in possession of 25.200 kgs of ganja. It is stated only based on confession statement from the co-accused this petitioner was arrested.

4.It is stated by the learned Government Advocate (crl.side) that final report has been filed and taken cognizance in Spl. C.C.No.175 of 2023 and the same is now pending before the learned Special Judge for EC/NDPS cases, Salem. He further stated that there is no seizure from this petitioner.

5.Taking into consideration the period of incarceration and all other factors, 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



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executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.1, Salem** 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 for a period of three weeks and thereafter, before the Trial Court for a period of two weeks and thereafter on all hearing dates.**

[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].



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

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smn

**C.V.KARTHIKEYAN. J.**

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To

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1. The **Judicial Magistrate No.1, Salem**

2. The Central Prison, Vellore

3. The Inspector of Police,  
Thiruvannamalai Town Police Station,  
Thiruvannamalai District.

4. The Public Prosecutor, High Court of Madras.

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