



Crl.O.P.No.3894 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2024

CORAM

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

Crl.O.P.No.3894 of 2024

Dhatchanamoorthy @ Appalam

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
Suvakanchi Police Station,
Kancheepuram District.
Crime No.40 of 2024

...Respondent/Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.40 of 2024 on the
file of the respondent police.

For Petitioner : Mr.A. Tamil Selvan

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.01.2024 for the offences punishable under Section 8(c), 20(b)(ii)(B) of NDPS Act in Crime No.40 of 2024, seeks bail.

2.It is stated that the petitioner was found in possession of 1.200 Kgs of Ganja, which had been seized. It is also stated that there are two previous cases against the petitioner including one case under NDPS Act. It is stated that investigation has been completed and only the laboratory report is awaited.

3.Taking all the factors into consideration including the seized quantity and the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner 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.I, Kancheepuram, and on further



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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 appear 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.

21.02.2024

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C.V.KARTHIKEYAN. J.

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To

1. The Judicial Magistrate No.I, Kancheepuram.
2. The Central Prison Puzhal, Chennai.
3. The Inspector of Police,
Suvakanchi Police Station,
Kancheepuram District.
4. The Public Prosecutor,
High Court of Madras.

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