



Crl.O.P.No.4280 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM

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

Crl.O.P.No.4280 of 2024

Shridhar

...Petitioner/A9

Vs.

State represented by
The Inspector of Police,
Saravanampatti Police Station,
Coimbatore.

...Respondent/Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in C.C.No.97 of 2023 on the file of the Additional District Court and Special Court for Essential Commodities Act Cases, Coimbatore in Crime No.206 of 2023 on the file of the respondent police.

For Petitioner : Mr.P.Pugalenth

For Respondent : Mr.V.J.Priyadarsana
Govt. Advocate (Crl. Side)



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ORDER

The petitioner/A9, who was arrested and remanded to judicial custody on 12.05.2023 for the offence punishable under Sections 8(c) r/w Section 20(b)(ii)(A), 22(c), 29(1) of the NDPS Act, 1985 in Crime No.206 of 2023 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that on 29.04.2023, the respondent had received information about 7 persons involved in possession and selling of contraband substances. A1 to A7 were taken into custody on 21.04.2023. It had been stated that from A1, 53, grams of Methamphetamine and 500 grams of ganja was seized from A2. Thereafter, during interrogation, they had given information about this petitioner, whom the learned counsel states is a Police Constable working under the Police Department.

3.Earlier petition seeking bail was dismissed on 11.12.2023 in Crl.O.P.No.27712 of 2023. The significant change in circumstance is that A3 to A8 had been granted bail.

4.Taking that factor into consideration and the fact that there has



been no actual seizure from the petitioner herein but only the cell phone is 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 Additional District Judge and Special Court for Essential Commodities Act Cases, Coimbatore, 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 daily 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



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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.

30.04.2024

smv

To

1. The Additional District Judge and Special Court for Essential Commodities Act Cases, Coimbatore
2. The Sub Jail, Gopichettipalayam.
3. The Inspector of Police,
Saravanampatti Police Station,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

smv



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