



Crl.O.P.No.4258 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

CORAM

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

Crl.O.P.No.4258 of 2024

Gowtham
S/o.Natarajan

...Petitioner/Accused-1

Vs.

State represented by
The Inspector of Police,
P.E.W-Erode Police Station,
Erode District.
(Crime No.795 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.795 of
2023 on the file of the respondent, on such terms and conditions.

For Petitioner : Mr.N.Arun Kumar

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



Crl.O.P.No.4258 of 2024

WEB COPY

ORDER

The petitioner seeks bail in Crime No.795 of 2023, registered by the respondent police for the offences punishable under Sections 8(c) r/w 20(b) (ii)(C). The petitioner had been taken into custody on 18.10.2023.

2. It is the case of the prosecution that the respondent found A1 and A2 standing in a suspicious manner and that this petitioner / A1 was found in a possession of 500 grams of Ganja and thereafter on his confession statement, 50 kgs of Ganja had been recovered from the house of A2. There is yet another accused/A3.

3.It is stated that the accused used to go to Andhra Pradesh to purchase Ganja and sell the same for profit. It is also stated that A2 and A3 had been detained under the Tamil Nadu Act 14 of 1982. So far as, this petitioner is concerned 500 grams of Ganja had been recovered from him.



Crl.O.P.No.4258 of 2024

4. Taking all the factors into consideration and the period of incarceration suffered by the petitioner and also the fact that there are no previous cases as against the petitioner herein, 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 Judicial Magistrate Court-IV, 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 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.



CrI.O.P.No.4258 of 2024

WEB COPY

[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.

07.03.2024

rjr



WEB COPY



Crl.O.P.No.4258 of 2024

C.V.KARTHIKEYAN. J.
rjr

To

- 1.The learned Judicial Magistrate Court-IV, Coimbatore.
- 2.The Central Prison, Coimbatore.
- 3.The Inspector of Police,
P.E.W-Erode Police Station,
Erode District.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.4258 of 2024

07.03.2024