



Crl.O.P.No.4398 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

CORAM

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

Crl.O.P.No.4398 of 2024

K. Selvam

...Petitioner

Vs.

The State represented by
The Inspector of Police,
Maduranthakam Police Station,
Chengalpattu District.
(Crime No.16 of 2024)

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.16 of 2024 on the
file of the respondent police.

For Petitioner : Mr.G. Magesh Kumar

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

ORDER

The petitioner who was arrested and remanded to judicial custody
on 10.01.2024 for the offences registered under Sections 8(c), 20(b) (ii)



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(B),29(1),25 of NDPS Act 1985 in Crime No.16 of 2024 on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused were found in possession of 2.300 kgs of ganaja.

3. The learned counsel for the petitioner submitted that there is no recovery from this petitioner and the contraband was recovered only from the co-accused.

4. It is stated by the learned Government Advocate that there is one previous cases against the petitioner.

5.Taking all the factors into consideration and the quantity of the contraband and the period of incarceration, 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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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-I, Maduranthakam**, 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 10.00 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



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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.

23.02.2024

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C.V.KARTHIKEYAN. J.

smn

To

1. The **Judicial Magistrate-I, Maduranthakam**
2. The Central Prison,Puzhal.
- 3.The Inspector of Police,
Maduranthakam Police Station,
Chengalpattu District.
(Crime No.16 of 2024)
- 4.The Public Prosecutor, High Court of Madras.

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