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Crl.O.P.No.4677 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2024

CORAM

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

Crl.O.P.No.4677 of 2024

Syed Farooq

... Petitioner

Vs.

The State represented by  
The Inspector of Police,  
H-4 Korukkupet Police Station,  
Chennai.  
Crime No.10 of 2024

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
prayed to enlarge the petitioner on bail in Crime No.10 of 2024 on the file of  
the respondent Police.

For Petitioner : Mr.S. Chandra Gupthan

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

### **ORDER**

The petitioner who was arrested and remanded to judicial custody  
on 07.01.2024 for the offences under Sections 8(c) r/w 22(b), 25, 29(1) of  
NDPS Act, 1985, in Crime No.10 of 2024 on the file of the respondent



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Police, seeks bail.

2. The case of the prosecution is that the petitioner along with three other accused were found in illegal possession of 4 grams of methamphetamine, which is an intermediate quantity.

3.The learned Government Advocate (crl.side) raised objections stating that one other accused is still absconding.

4.Taking into consideration the period of incarceration and also of the fact that the quantity of contraband seized is intermediate quantity, 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 **XV Metropolitan Magistrate, George Town, Chennai** 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.



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[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.

**05.03.2024**

smn

To

- 1.The XV Metropolitan Magistrate, George Town, Chennai.
- 2.The Inspector of Police,  
H-4 Korukkupet Police Station, Chennai.
- 3.The Central Prison-II, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.

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

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