



CrI.O.P.No.5120 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2024

CORAM

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

CrI.O.P.No.5120 of 2024

R.Mahi @ Mahendran

...Petitioner/A4

Vs.

State represented by
The Inspector of Police,
C-1, Flower Bazaar Police Station,
Chennai – 600 001.
(Crime No.227 of 2023).

...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.227 of 2023 on the
file of the respondent police.

For Petitioner : Mr.J. Prakash

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



Crl.O.P.No.5120 of 2024

WEB COPY

ORDER

The petitioner / A4, who was arrested and remanded to judicial custody on 12.12.2023 for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B), 25 and 29(1) of NDPS Act in Crime No.227 of 2023 on the file of the respondent, seeks bail.

2.It is the case of the prosecution that they had remanded totally five accused on 12.12.2023 and A1 was found in possession of 3 Kgs of Ganja, which is an intermediate quantity. It is also seen that investigation has been proceeded to a substantial extent. It is also stated that there are three previous cases against the petitioner herein.

3.But however, taking into consideration the fact that the Ganja seized from A1 is 3 Kgs, which is an intermittent quantity and also the fact that there has been no recovery from the petitioner herein, 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



CrI.O.P.No.5120 of 2024

of the learned Principal Special Court Under EC & NDPS Act, Chennai.

[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.

[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.

14.03.2024

smv



WEB COPY



CrI.O.P.No.5120 of 2024

C.V.KARTHIKEYAN. J.

smv

To

- 1.The Principal Special Court Under EC & NDPS Act, Chennai.
2. The Central Prison, Puzhal. (Mens)
- 3.The Inspector of Police,
C-1, Flower Bazaar Police Station,
Chennai – 600 001.
- 4.The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.5120 of 2024

14.03.2024.