



Crl.O.P.No.5463 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2024

CORAM

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

Crl.O.P.No.5463 of 2024

Balasubramaniyan

...Petitioner/A2

Vs.

State represented by
The Inspector of Police,
E-10, Kayar Police Station,
Chengalpattu District.
(Crime No.4 of 2024)

...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.4 of 2024 on the file
of the respondent police.

For Petitioner : Mr.N.Anbarasan

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



Crl.O.P.No.5463 of 2024

WEB COPY

ORDER

The petitioner / A2, who was arrested and remanded to judicial custody on 13.01.2024 for the offences punishable under Sections 8(c), 29(1), 20(a)(i), 20(b)(ii)(B) of NDPS Act, 1985 in Crime No.4 of 2024 on the file of the respondent, seeks bail.

2.It is stated that the petitioner along with other accused were found in possession of 1.150 Kgs of Ganja. There is no previous case against the petitioner herein. However, A5 is still absconding.

3.Taking all the factors into consideration and the period of incarceration suffered by the petitioner and also the quantity of contraband seized is intermediate in nature, 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 of the learned Judicial Magistrate, Thiruporur.

[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.



Crl.O.P.No.5463 of 2024

[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.

15.03.2024

smv

C.V.KARTHIKEYAN. J.

smv



Crl.O.P.No.5463 of 2024

WEB COPY

To

- 1.The Judicial Magistrate, Thiruporur.
2. The District Jail, Chengalpet.
- 3.The Inspector of Police,
E-10, Kayar Police Station,
Chengalpattu District.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.5463 of 2024

15.03.2024