



Crl.O.P.No.5528 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2024

CORAM

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

Crl.O.P.No.5528 of 2024

Naveen

...Petitioner

Vs.

State represented by
The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.
(Crime No.753 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.753 of 2023 on the file of the respondent, on such terms and conditions.

For Petitioner : Mr.P.Muthamizhselvakumar

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



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ORDER

The petitioner/A8 seeks bail in Crime No.753 of 2023, registered by the respondent police for the offence under Section 328 of IPC. The petitioner had been remanded to custody on 18.02.2024.

2.It had been stated that the accused persons were found in possession of 100 Nos of Tapentadol Hydrochloride Tablets 100 mg and Topcyntha 100 mg tablets. The property had been recovered. It is also stated that the petitioner is studying in College and innocent of the offence.

3.It is stated that A1 had been granted bail by the learned Principal Sessions Court, Chennai, on 12.01.2024 in Crl.M.P.No.1503 of 2024. A2 and A3 had been granted bail by this Court.

4.Taking all the factors into consideration, 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 X Metropolitan Magistrate Court, Egmore, and on further conditions that: -



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[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 5.30 p.m., until further orders.

[c] It is also seen that the petitioner is a student studying B.Com final year in Dr.M.G.R.University. The petitioner is involved in Crime No.753 of 2023 under Section 328 of IPC should be intimated by the Judicial Magistrate on filing of the final report to the concerned College and the registration of the First Information Report against the petitioner must be registered in the College Register;

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be



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registered under Section 229A IPC.

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To

1. The X Metropolitan Magistrate Court, Egmore.
2. The Central Prison, Puzhal.
3. The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.



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