



Crl.O.P.No.5608 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2024

CORAM

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

Crl.O.P.No.5608 of 2024

1.Dinesh
2.Arun

...Petitioners/Accused 1 & 2

Vs.

State represented by
The Inspector of Police,
SRMC Police Station,
Chennai.

(Crime No.88 of 2024)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail concerned in Crime No.88 of
2024 on the file of the respondent, on such terms and conditions.

For Petitioners : Mr.G.Mageshkumar

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

ORDER



Crl.O.P.No.5608 of 2024

WEB COPY

The petitioners/A1 and A2 in Crime No.88 of 2024, registered by the respondent for the offences under Sections 8(c), 20(b)(ii)(B), 25 and 29(1) of NDPS Act, 1985, and remanded to judicial custody on 06.02.2024 with possession of totally 1.2 kgs of ganja, seek bail.

2.It is the case of the prosecution that the petitioners were both jointly in possession of 1.2 kgs of ganja. It is also contended that there are four previous cases against the 1st petitioner including under NDPS Act cases and six previous cases against the 2nd petitioner but all under IPC offences.

3.Taking into consideration the period of incarceration and the fact that the ganja seized is intermediate quantity, I am inclined to grant bail to the petitioners subject to the following conditions:

4.Accordingly, the petitioners are ordered to be released on bail on condition to execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate – I, Poonamallee, 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



Crl.O.P.No.5608 of 2024

their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

18.03.2024

ata

C.V.KARTHIKEYAN. J.

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To

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Crl.O.P.No.5608 of 2024

WEB COPY

1. The Judicial Magistrate – I, Poonamallee.
2. Central Prison, Puzhal.
3. The Inspector of Police,
SRMC Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.5608 of 2024

18.03.2024