



Crl.O.P.No.5788 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

CORAM

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

Crl.O.P.No.5788 of 2024

Prabakaran @ Uva

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
PEW Pallikaranai Unit.

(Crime No.33 of 2024)

...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.33 of
2024 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.C.Raja

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



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ORDER

The petitioner seeks bail in Crime No.33 of 2024, registered by the respondent police for the offence under Section 8(c) r/w 20(b)(ii)(B) of NDPS Act.

2.The petitioner had been remanded to judicial custody on 28.01.2024 with possession of 3.100 kgs of ganja. It is stated that there are five previous cases against the petitioner, one under NDPS Act. However, taking into consideration the period of incarceration and also the fact that the ganja seized is intermediate quantity, I am inclined to grant bail to the petitioner subject to the following conditions:

3.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 Judicial Magistrate Court – II, Alandur, 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.



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[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.

08.03.2024

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C.V.KARTHIKEYAN. J.
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To

1. The Judicial Magistrate Court- II, Alandur.
2. The Central Prison, Puzhal II.
3. The Inspector of Police,
PEW Pallikaranai Unit.
4. The Public Prosecutor,
High Court of Madras.

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