



WEB COPY



Crl.O.P.No.7210 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **27.03.2024**

CORAM

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

Crl.OP.No.7210 of 2024

Arunkumar

...Petitioner

Vs.

The State rep by
The Inspector of Police,
PEW-Ulundurpet Police Station,
Kallakurichi District.
Cr.No.213 of 2023

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.213 of 2023 pending
investigation on the file of the respondent police.

For Petitioner : Mr.R.Thirumoorthy

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

ORDER

The petitioner/A2 in Crime No.213 of 2023 who was arrested and
remanded to judicial custody on 17.12.2023, registered by the respondent



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police for the offences under Sections 8(C), 20(b)(ii)(B), 25 and 29(1) of Narcotic Drugs & Psychotropic Substances Act seeks bail.

2. It is stated that the petitioners/ A1 and A2 herein along with other accused were found in possession of 8 kgs of ganja. There is yet another accused/A3 who was the mediator for purchase and sales of ganja. Ganja has been recovered from A4 and A5, who were the sellers of the ganja.

3. The earlier application seeking bail was dismissed on 27.02.2024 and it was noted that A3 and A4 were absconding. The change in circumstances is that they had now been secured.

4. Taking into consideration the period of incarceration and the quantity of contraband seized is an intermediate quantity, this Court is 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



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the Special Court for Trial of Narcotic Drugs and Psychotropic

Substances Act Cases, Villupuram 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.

[b] the petitioner shall report before the respondent Police, daily at 10.00 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.

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Vv



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C.V.KARTHIKEYAN, J.

Vv

To

1. The Special Court for Trial of Narcotic Drugs
and Psychotropic Substances Act Cases,
Villupuram.
- 2.The Inspector of Police,
PEW-Ulundurpet Police Station,
Kallakurichi District.
- 3.The Central Prison,
Gudalur.
- 4.The Public Prosecutor,
Madras High Court.

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