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Crl.O.P.No.6320 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2024

CORAM

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

Crl.O.P.No.6320 of 2024

Senthilkumar @ Kulla Senthil

... Petitioner / Accused

Vs.

The State represented by
The Inspector of Police,
M-2, MM Colony Police Station,
Chennai.

... Respondent /Complainant

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.27 of 2024 on the file of
the respondent.

For Petitioner : Mr. S. Arul Mohan

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.01.2024 for the offences punishable under Sections 8(c) r/w. Sections 20(b)(ii)(B) and 29(1) of NDPS Act, 1985 in Crime No.27 of 2024 on the file of the respondent police, seeks bail.

2.It is stated that the petitioner was found in possession of 1.200 Kgs of Ganja, which had been seized. It is also stated that there is one previous case against the petitioner under NDPS Act, which had been registered in Crime No.177 of 2022 on the file of the Kodugaiyur Police Station.

3.The learned counsel for the petitioner submitted that the petitioner was in judicial custody for a substantial period of time and the entire contraband had been seized from him.

4.Taking all the factors into consideration and the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain condition.

5. Accordingly, the petitioner is ordered to be released on bail on



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executing 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, Madhavaram, Chennai, 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 appear before the respondent police daily 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.

21.03.2024



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C.V.KARTHIKEYAN, J.

smv

To

- 1.The Judicial Magistrate, Madhavaram, Chennai.
- 2.The Inspector of Police,
M-2, MM Colony Police Station,
Chennai.
3. The Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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