



Crl.O.P.No.7801 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2024

CORAM

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

Crl.O.P.No.7801 of 2024

Ajith Kumar

...Petitioner/A2

Vs.

State represented by
The Inspector of Police,
Chengalpet PEW,
Chengalpet.
(Crime No.57 of 2024)

...Respondent/Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.57 of 2024 on the
file of the respondent police.

For Petitioner : Mr.P.Santhosh

For Respondent : Mr.V.J.Priyadarsana
Govt. Advocate (Crl. Side)



Crl.O.P.No.7801 of 2024

WEB COPY

ORDER

The petitioner / A2 who was arrested and remanded to judicial custody on 20.01.2024 for the offences punishable under Section 8(c) r/w Section 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 and subsequently altered to Section 8(c) r/w Section 20(b)(ii)(B), 22(a), 25, 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeks bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 2.70 kgs of Ganja and 23 syringes with each containing 5 ml of Ganja oil.

3.Earlier petition seeking bail was dismissed on 08.03.2024 in Crl.O.P.No.5842 of 2024.

4.A counter affidavit has been filed by the respondent wherein, it had been stated that during the course of investigation the respondent had sent the samples of contraband to the Forensic Science Laboratory for



chemical analysis. It had been stated that there has been substantial progress in the investigation.

5.Taking all the factors into consideration and also the fact that the seized contraband is an intermediate quantity and considering the period of incarceration suffered by this petitioner, I am inclined to grant bail to the petitioner subject to the following conditions:

6.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 learned Principal Sessions Judge for EC and NDPS Act, 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 report before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioner shall not abscond either during



CrI.O.P.No.7801 of 2024

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.

18.04.2024

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To



Crl.O.P.No.7801 of 2024

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1. The Principal Sessions Judge for EC and NDPS Act, Chennai
2. The District Jail, Chengalpattu.
3. The Inspector of Police,
Chengalpet PEW,
Chengalpet.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

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Crl.O.P.No.7801 of 2024

Crl.O.P.No.7801 of 2024

18.04.2024