



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2024

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No. 15399 of 2024

Ajeethkumar @ Kool

... Petitioner

Vs.

State Rep by.
The Inspector of Police
Thudiyalur Police Station,
Coimbatore District. Crime No. 595 of 2022

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail pending Trial in C.C No. 167 of
2022 pending on the file of the learned Additional District Judge, Special
court for Essential Commodities Act Cases, Coimbatore District.

For Petitioner : Mr.A.Saranraj
For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (Crl. side)



WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.06.2022 for the alleged offences punishable under Sections **8 (c) r/w 20 (b)(ii)(C) of NDPS Act, 25 and 29(1) of NDPS Act in crime No. 595 of 2022(C.C No. 167 of 2022)** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police found the accused persons with illegal possession of 21 kgs of Ganja. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and also nothing has been recovered from this petitioner. Further, he stated that the petitioner is languishing in jail for past two years. Hence, he prays to allow this petition.

4. On the other side, the learned Government Advocate (Crl. side) submits that Rs.2 lakhs was recovered from this petitioner but contraband was not recovered from him. However, he raised objection to grant bail.

5. Considering the facts of the case, the petitioner has been in jail for past 2 years and also the contraband was not seized from the petitioner



Hence, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned Additional District Judge, Special Court for Essential Commodities Act Cases, Coimbatore District**, 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 on alternative days at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;



WEB COPY



[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 abscond, a fresh FIR can be registered under Section 229A IPC.

09.07.2024

pbl



WEB COPY



T.V.THAMILSELVI,J.

pbl

To

1. The **Additional District Judge, Special Court for Essential Commodities Act Cases, Coimbatore District.**

2. The Inspector of Police
Thudiyalur Police Station,
Coimbatore District

3. The Central Prison, Coimbatore.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.15399 of 2024

09.07.2024