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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2024

CORAM

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

Crl.O.P.No.7016 of 2024

R.Sathish

... Petitioner

Vs.

State Rep by.

The Inspector of Police

H1, Washermenpet Police Station,

Washermentpet Chennai. Crime No. 100 of 2024 .

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in crime No. 100 of 2024 on the file
of the respondent police.

For Petitioner : Mr.S.Muthukumar

For Respondent : Mr.V.Meganathan

Government Advocate (Crl. Side)

ORDER



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The petitioner, who was arrested and remanded to judicial custody on **02.02.2024** for the alleged offences punishable under Sections **8 (c) r/w 22 (b), 29(1) of NDPS Act, in crime No.100 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police found the accused persons with the illegal possession of 60 Niravet - 10 tablet. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner is in jail for more than two months. Hence, he prays to allow this petition.

4. On the other side, the learned Government Advocate (Crl. side) submits that respondent police found the accused person with illegal possession of 60 Niravet - 10 tablet. Further, he submitted that the petitioner is having 4 previous cases in IPC offences and there is no previous case pending against the petitioner in NDPS case. However, he raised objection to grant bail.



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5. Considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

5. 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 Principal Special Court for Trial of EC & NDPS cases, 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 every Tuesday and Saturday at 10.30 a.m., for a period of three months.

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

[d] the petitioner shall not tamper with evidence



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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.

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T.V.THAMILSELVI,J.

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To

1. The **Principal Special Court for Trial of EC & NDPS cases, Chennai.**

2. The Inspector of Police
H1, Washermenpet Police Station,
Washermentpet Chennai.

3. The Central Prison, Puzhal.

4. The Public Prosecutor,
High Court of Madras.

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