



WEB COPY



Crl.O.P.Nos.6823 and 6838 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.Nos.6823 and 6838 of 2024

Yaswanth

...Petitioner
(in Crl.OP.No.6823 of 2024)

J.Arun

...Petitioner
(in Crl.OP.No.6838 of 2024)

Vs.

State Rep by,
The Inspector of Police,
Arakkonam Town Police Station,
Arakkonam,
Ranipet District.
Cr.No.127 of 2024

...Respondent
(in both Crl.OPs)

COMMON PRAYER: Criminal Original Petitions filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.127 of 2024 on the file of the respondent police.

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For Petitioners : Mr.A.Vijayasankar

For Respondent : Mr.L. Baskaran



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Government Advocate (Crl.Side)

COMMON ORDER

The petitioners/A1 has filed Crl.OP.No.6823 of 2024 and the petitioner/A2 has filed Crl.OP.No.6838 of 2024, both in Cr.No.127 of 2024 registered by the respondent police for the offences punishable under Sections 8(c), r/w 20(b) (ii) (B) of NDPS Act, seek bail.

2. Both the petitioners had been remanded to judicial custody on 29.02.2024 with possession 3 kgs of ganja.

3. The learned Government Advocate (Crl Side) stated that there are previous cases against the petitioners, but under IPC Offences.

4.Taking all the factors into consideration the period of incarceration and the fact that the contraband seized is an intermediate quantity, this Court is inclined to grant bail to the petitioners subject to the following conditions.

5.Accordingly, the petitioners are ordered to be released on bail on condition to execute separate bonds for a sum of **Rs.10,000/- (Rupees Ten**



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Thousand only) each with two sureties each for a like sum to the satisfaction of the **learned Judicial Magistrate, Arakkonam** 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 petitioners shall report before the respondent Police, daily at 10.00 a.m., until further orders.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

Vv

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C.V.KARTHIKEYAN, J.

Vv

To

1. The Judicial Magistrate,
Arakkonam.
2. The Inspector of Police,
Arakkonam Town Police Station,
Arakkonam,
Ranipet District.
3. The Sub Jail,
Attur, Salem.
4. The Public Prosecutor,
Madras High Court.

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