



Crl.O.P.No.7018 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2024

CORAM

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

Crl.O.P.No.7018 of 2024

1.Ashokkumar. A

2.Sakthivel. R

...Petitioners/A1 & A2

Vs.

State represented by
The Inspector of Police,
PEW Erode Police Station,
Erode District.
(Crime No.67 of 2024)

...Respondent / Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail concerned in Crime No.67 of
2024 on the file of the respondent police on such terms and conditions.

For Petitioners : Mr.C.S.Saravanan

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



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ORDER

The petitioners / A1 & A2 seek bail in Crime No.67 of 2024, registered by the respondent police for the offences under Section 8(c), r/w Section 20(b)(ii)(B) of NDPS Act. The petitioners had been remanded to judicial custody on 24.01.2024 with possession of 4.200 kgs of ganja along with A3.

2.The learned counsel for the petitioner stated that from these petitioners, 2.200 kgs of ganja had been seized and A3 is still in custody.

3.Taking all the factors into consideration and the period of incarceration, I am inclined to grant bail to the petitioners subject to the following conditions:

4.Accordingly, the petitioners are ordered to be released on bail on condition to execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Additional District Judge / Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore, and on further conditions that: -



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[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 everyday at 10.30 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.

22.03.2024

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C.V.KARTHIKEYAN. J.

ata

To

1. The Additional District Judge / Presiding Officer,
Special Court for Essential Commodities Act Cases, Coimbatore.
2. The Central Prison, Coimbatore.
3. The Inspector of Police,
PEW Erode Police Station,
Erode District.
4. The Public Prosecutor,
High Court of Madras.

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