



Crl.O.P.No.7402 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2024

CORAM

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

Crl.OP.No.7402 of 2024

N.Pandiyan

...Petitioner

Vs.

State Rep by its,
Inspector of Police,
D-1, Triplicane Police Station,
Chennai.
Cr.No.529 of 2023

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.529 of 2023 on the file of the respondent police.

For Petitioner : Mr.K.Kamal

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

ORDER

The petitioner/A1 seeks bail in Crime No.529 of 2023 registered under Sections 8(c), 20(b)(ii)(A) of Narcotic Drugs & Psychotropic Substances Act and 24(1) of COTP Act r/w 328 of IPC.



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2.The petitioner had been remanded to judicial custody on 28.02.2024.

3. It is stated that A1 and A2 who are husband and wife, were found in possession of 250 grams of ganja, 120 grams of banned tobacco products and 4 packets of Mawa.

4. The learned Government Advocate(Crl side) stated that there is one previous case under NDPS Act against the petitioner herein.

5. However, taking into consideration the period of incarceration and the quantity of contraband seized is an intermediate quantity, this Court is 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 Metropolitan Magistrate-II, Egmore, Chennai** 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 petitioner shall report before the respondent Police, daily at 10.00 a.m., until further orders.

[c]the petitioner shall not abscond either during 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.

26.03.2024

Vv



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C.V.KARTHIKEYAN, J.

Vv

To

1. The Metropolitan Magistrate-II,
Egmore, Chennai
2. The Inspector of Police,
D-1, Triplicane Police Station,
Chennai.
3. The Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
Madras High Court.

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