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Crl.O.P.No.7551 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.7551 of 2024

Vishnu Kumar

...Petitioner

Vs.

State Rep by,
The Inspector of Police,
E-5. Sholavaram Police Station,
Thiruvallur District.
Cr.No.151 of 2024

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.151 of 2024 on the file of the respondent police.

For Petitioner : Mr.P.Chandrasekar

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

ORDER

The petitioner/A2 seeks bail in Crime No.151 of 2024 registered under Sections 8(c) r/w 20(b)(ii)(B) and 29(1) of NDPS Act 1985.



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2.The petitioner had been remanded to judicial custody on 22.02.2024 with possession, along with other accused of 2.500 kgs of ganja.

3. The learned Government Advocate (Crl.Side) stated that three of accused were absconding, but, the learned counsel for the petitioner stated that this petitioner is not aware about the other accused. The learned Government (Crl.Side) further stated that there is one previous case under NDPS Act against the petitioner apart from other IPC cases.

4.Taking 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 petitioner subject to the following conditions.

5.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 Judicial Magistrate-II, Ponneri** 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 Judicial Magistrate-II,
Ponneri.
- 2.The Inspector of Police,
E-5. Sholavaram Police Station,
Thiruvallur District.
- 3.The Central Prison,
Puzhal.
- 4.The Public Prosecutor,
Madras High Court.

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