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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2024

CORAM

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

Crl.O.P.No.7497 of 2024

Tharun

... Petitioner

Vs.

The Inspector of Police,
Walajapet Police Station,
Ranipet District
Crime No. 76 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to grant bail to the petitioner pending investigation in crime No. 76 of
2024 on the file of the respondent police.

For Petitioner : Mr.D.Balaji
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 **05.02.2024** for the alleged offences punishable under Sections **8 (c), 20 (b)(ii)(B) of NDPS Act**, on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police found the petitioner with illegal possession of 1kg 200 grams of Ganja. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. On the other side, the learned Government Advocate (CrI. side) submits that there are three previous case pending against the petitioner and also the petitioner was detained under Goondas Act. But the learned counsel for the petitioner submits that detention of the petitioner under Goondas Act has been revoked.

4. Considering the fact of the case, the contraband seized from the petitioner is intermediate quantity. Hence, 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 Judicial Magistrate No.2, Walajapet, Ranipet**

District 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 at 10.30 a.m., for a period of two months;

[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 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 Judicial Magistrate No.2, Walajapet.

2. The Inspector of Police,
Walajapet Police Station,
Ranipet District.

3. The Central Prison, Salem.

4. The Public Prosecutor,
High Court of Madras.

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