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CrI.O.P.No.7684 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **27.03.2024**

CORAM

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

CrI.OP.No.7684 of 2024

Muthukumar

...Petitioner

Vs.

The Inspector of Police,
PEW-Pallikaranai Police Station,
Cr.No.318 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.318 of 2023 under Sections 8(c) r/w 20(b)(ii)(B), 21(b), 27(a) and 29(1) of NDPS Act on the file of the respondent police.

For Petitioner : Mr.S.Senthil Kumar

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

ORDER

The petitioner/A3 in Crime No.318 of 2023 who was arrested and remanded to judicial custody on 17.08.2023, registered by the respondent police for the offences under 8(c) r/w 20(b)(ii)(B), 21(b), 27(a) and 29(1) of NDPS Act seeks bail.



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2. It is stated that the petitioner was arrested on 17.08.2023 with possession, along with other accused of 1kg 250 grams of ganja and 120 Numbers of Tydol-100 mg tablet. It is also stated that all the other accused have been granted bail by the trial Court.

4. Taking into consideration the period of incarceration and the fact that the quantity of 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 at Alandur, Chennai** 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.



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[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.

27.03.2024

Vv



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C.V.KARTHIKEYAN, J.

Vv

To

1. The Judicial Magistrate-II,
Alandur, Chennai.
- 2.The Inspector of Police,
PEW-Pallikaranai Police Station,
Cr.No.318 of 2023
- 3.The Prison,
Puzhal-II, Chennai.
- 4.The Public Prosecutor,
Madras High Court.

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