



Crl.O.P.No.8644 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2024

CORAM

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

Crl.O.P.No.8644 of 2024

1.Maran

2.Anand

... Petitioners / A2 and A4

Vs.

State represented by
The Inspector of Police,
T-12 Poonamallee Police Station,
Chennai – 123.
(Crime No.638 of 2023)

... Respondent / Complainant

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioners on bail in Crime No.638 of 2023 on the file
of the respondent.

For Petitioners : Mr. M.Soundar Vijay Arul Ram

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (Crl. Side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 11.10.2023, registered for the offences under Section 8(c) r/w Sections 20(b)(ii)(c), 22(c), 29(1) and 25 of NDPS Act in Crime No.638 of 2023 on the file of the respondent Police, seek bail.

2. The 1st petitioner / A2 came along with A1 in a motorcycle bearing Registration No.TN-13-Y-1303. It was found that A1 was in a possession of 124 strips of Nitrovet Tablet each strip containing 30 tablets. It was more than commercial quantity.

3. In the earlier petition seeking bail which came up for consideration on 14.03.2024 in Crl.O.P.No.4547 of 2024, it was argued that the quantity is not commercial quantity. But this Court had given the mathematical calculation, which came the total quantity of 2,109.24 kgs, which is 2 kgs, 109 grams and 24 milligrams and that it was commercial quantity. Thereafter, the respondent had also intercepted another motorcycle bearing Registration No.TN-12-AQ-7518, detained A3 and A4. The 2nd petitioner herein is A4. The respondent sought to link all the four persons but stating that A3 and A4 were preparing to collect the Nitrovet tablets from A1 and A2 and to sale the same. But no tablets have been recovered from the



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2nd petitioner / A4.

4.Taking that factor into consideration, this Court is inclined to grant bail to the 2nd petitioner / A4 and dismissed for the 1st petitioner / A2.

5.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 Principal Special Court under EC & NDPS Act, 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.

[b] the 2nd petitioner / A4 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.

[d] 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



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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.

29.04.2024

smv

To

- 1.The Principal Special Judge for EC and NPDS Act, Chennai.
- 2.The The Inspector of Police,
T-12 Poonamallee Police Station,
Chennai – 123.
- 3.The Sub Jail, Poonamalle.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN, J.

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