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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.8168 of 2024

Manikandan

... Petitioner

Vs.

The Inspector of Police,
T5-Kundrathur Police Station,
Chengalpattu.
Crime No. 681 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail in crime No.**681 of 2023** on the file of
the respondent.

For Petitioner : Mr.V.Elangovan
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 30.11.2023 for the alleged offences punishable under Sections 8 (c), 22(c), 29(1) of NDPS Act, on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police found one Karuppu @ Tamilalagu in possession of 55 grams of Amphetamine in his pant pocket. Based on the confession statement of the said Karuppu the petitioner and other accused have been implicated as accused, and thereafter the petitioner was arrested and remanded to judicial custody.

3. The learned counsel for the petitioner submits that no contraband was seized from the petitioner, based on the confession statement the petitioner was falsely implicated in this case. On the other side, the learned Government Advocate (Crl.side) raised strong objection to release the petitioner on bail.

4. Considering the fact that based on the confession statement petitioner has been implicated in this case and also contraband was not recovered from this petitioner. Hence, this Court is inclined to grant bail to the petitioner.



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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, Sriperumbudur** 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.

02.04.2024

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T.V.THAMILSELVI,J.

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To

1. The Judicial Magistrate, Sriperumbudur.

2. The Inspector of Police,
T5-Kundrathur Police Station,
Chengalpattu.

3. The Central Prison, Puzhal

4. The Public Prosecutor,
High Court of Madras.

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