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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2024

CORAM

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

Crl.O.P.No.8767 of 2024

Sagar Krishna

... Petitioner

Vs.

State Rep by.
The Inspector of Police
G5, Secretariat Colony Police Station,
Crime No. 281 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in crime No. 281 of 2023 pending on
the file of the respondent.

For Petitioner : Mr.Samson.A
For Respondent : Mr.V.Meganathan
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.12.2023 for the alleged offences punishable under Sections **8 (c) r/w 22 (c), 29(1), 20(b)(ii)(A) of NDPS Act, in crime No.281 of 2023** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police found the accused persons with illegal possession of 1465 Nitravet -10 tablet and 300 grams of Ganja. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner is jail for past four months and also contraband was not recovered from this petitioner. Further, there is no previous case pending against the petitioner. Hence, he prays to allow this petition.

4. On the other side, the learned Government Advocate (Crl. side) submits that respondent police found the accused persons with illegal possession of 1465 Nitravet -10 tablet and 300 grams of Ganja. Further, he submitted that no previous case pending against the petitioner. However, he raised objection to grant bail.



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5. Considering the facts of the case, the petitioner is in jail for more than three months and also there is no previous case pending against the petitioner. Further, the investigation is almost completed. Hence, this Court is inclined to grant bail to the petitioner.

6. 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 II Metropolitan Magistrate, Egmore**, 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 stay at respondent police daily at 10.30 a.m., for a period of six months.



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[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 **II Metropolitan Magistrate, Egmore.**

2. The Inspector of Police
G5, Secretariat Colony Police Station.

3. The Central Prison, Puzhal II.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.8767 of 2024

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