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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2024

CORAM

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

Crl.O.P.No.8946 of 2024

1.Velmurugan
2.Siranjeevi

... Petitioners

Vs.

State Rep by.
The Inspector of Police,
NIB-CID Kancheepuram
Crime No. 19 of 2023.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail pending trial in C.C No. 92 of 2024
on the file of the II Additional Special judge, NDPS Act, Chennai.

For Petitioner : Mr. T.S.Sasikumar
For Respondent : Mr.V. Meganathan
Government Advocate (Crl. side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on **25.09.2023** for the alleged offences punishable under Sections **8 (c) r/w 20(b) (ii) (C) of (NDPS) Act 1985 in crime No. 19 of 2023** on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons were found to be illegal possession of 22 kgs of Ganja. Hence the case.

3. The learned counsel for the petitioners submit that the petitioner have been falsely implicated in this case. Learned counsel prays to grant bail to the petitioners.

4. On the other side, the learned Government Advocate (Crl. side) submits that the accused persons were found to be in illegal possession of 22 kgs of Ganja.. Further, he stated that there is no previous case pending against the petitioners.

5. Considering the fact that the petitioners were in jail for past



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seven months and also the final report has been filed. Further, there is no previous case against the petitioners. Hence, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are 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 Additional Special judge, 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 petitioners shall report before the respondent police on Every Thursday at 10.30 a.m., for a period of four months and thereafter as and when required for interrogation.

[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;

[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 Additional Special judge, NDPS Act, chennai.
2. The Inspector of Police,
NIB CID Kancheepuram.
3. The Central prison, Puzhal - I, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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