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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.10271 of 2024

Rathishkumar ... Petitioner

Vs.

State Rep by.
The **Sub -** Inspector of Police,
PEW- Perambalur Police Station,
Perambalur District.
Crime No. 172 of 2024.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C., pleased to order enlarge the petitioner on bail in crime No. 172 of 2024 on the file of the respondent.

For Petitioner : Mr.K.Karuppaiya Mooppanar.
For Respondent : Mr.V. Meganathan
Government Advocate (Crl. side)

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O R D E R

The petitioner, who was arrested and remanded to judicial custody on **20.03.2024** for the alleged offences punishable under Sections **8 (c), 20(b) (ii) (A), of (NDPS) Act 1985 and Section 77 of Juvenile Justice Act, 2015 in crime No. 172 of 2024** on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused person was found to be in illegal possession of 250 grams of Ganja. Hence the case.

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

4. On the other side, the learned Government Advocate (Crl. side) submits that the accused person was found to be in illegal possession of 250 grams of Ganja. Further, he stated that there is one previous cases pending against the petitioner.

5. Considering the period of incarceration undergone by the petitioner and also the investigation is almost completed. Further, the

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contraband seized from the petitioner is intermediate quantity. 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 Judicial Magistrate No.I, Perambalur, Perambalur District,** 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 daily at 10.30 a.m., for a period of four months and thereafter as and when required for interrogation. Further, the petitioner shall deposit a sum of Rs.10,000/- to the credit of Registered Advocate Clerk's welfare association, Perambalur.

[c] the petitioner shall not abscond either during investigation or trial;

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[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.

26.04.2024

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T.V.THAMILSELVI,J.

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To
1. The **Judicial Magistrate No.I, Perambalur, Perambalur District.**

2.The **Sub -** Inspector of Police,
PEW- Perambalur Police Station,
Perambalur District.
3. The Sub jail, Perambalur.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.10271 of 2024

26.04.2024

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