



Crl.O.P.No.11047 of 2024

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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 22.05.2024**

**CORAM**

**THE HON'BLE MR. JUSTICE C.SARAVANAN**

**Crl.O.P.No.11047 of 2024**

Sureshkumar @ Suresh

... Petitioner

Vs.

State rep.by,  
The Inspector of Police,  
T-10, Manimangalam Police Station,  
Kanchipuram District.

(Crime No.122 of 2024).

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
pleased to enlarge the petitioner/accused on bail, in connection with the  
Crime No.122 of 2024, pending on the file of the respondent police.

For Petitioner : Mr.D.Magesh

For Respondent : Mr.R.Vinothraja  
Government Advocate (Crl.Side)



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### **ORDER**

The petitioner was arrested and remanded to judicial custody on 01.04.2024, for the offences punishable under Sections 8(c), 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 in Crime No.122 of 2024, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 01.04.2024, on receipt of secret information, the respondent went and searched near Karasangal Lake at 20.00 hrs. At that time, the petitioner and other accused was in possession of 1.600 Kgs of Ganja. Hence, this complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, who is in no way connected with the alleged offence, and a false complaint has been foisted against him. He further submitted that the co-accused was released on bail *vide* order of this Court dated 08.05.2024 in Crl.O.P.No.11299 of 2024. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the



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respondent police submitted that the petitioner is arrayed as A1 and the petitioner and other accused was in possession of 1.600 Kgs of Ganja. There are five previous cases pending against the petitioner in other IPC offences and POCSO cases. Hence, she opposed for grant of bail to the petitioner.

5. Heard the learned Counsel for the Petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and considering the fact that the co-accused was released on bail *vide* order of this Court dated 08.05.2024 in Crl.O.P.No.11299 of 2024, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Sriperumbudur**, and on further conditions that:



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[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 respondent police everyday at 10.00 a.m., until further orders;**

[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.*

**22.05.2024**

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To

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1. The Judicial Magistrate, Sriperumbudur.
2. The Inspector of Police,  
T-10, Manimangalam Police Station,  
Kanchipuram District.
3. The Central Prison, Puzhal.
4. The Public Prosecutor, High Court of Madras.



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**C.SARAVANAN.,J.**

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