



Crl.O.P.No.11148 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HON'BLE MR. JUSTICE K.KUMARESH BABU

Crl.O.P.No.11148 of 2024

Jitender Singh Bhangoo

... Petitioner/A-2

Vs.

The State rep. by its,
The Inspector of Police,
Selvapuram Police Station,
Coimbatore.
Crime No.344 of 2023

... Respondent / Complainant

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C., prayed to enlarge the petitioner on bail in Crime No.344 of 2023 on the file of the respondent Police.

For Petitioner : Mr.D.Padmanabhan

For Respondent : Mr.S.Santhosh
Government Advocate (Crl. Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 30.12.2023 for the offences under Sections 8(c), 20(b)(ii)(C), 29(1) of NDPS Act, 1985, in Crime No.344 of 2023 on the file of the respondent Police, seeks bail.



Crl.O.P.No.11148 of 2024

WEB COPY

2. The case of the prosecution is that the petitioner along with other two accused, were found in illegal possession of 7 kg of Ganja each, a bag and mobile phone.

3. The learned counsel for the petitioner stated that the petitioner is an innocent person and he has been falsely implicated in this case.

3.The learned Government Advocate (crl.side) raised objections stating that there is no previous case against the petitioner and the petitioner/ A2 brought contraband from Punjab and A1 and A3 selling Ganja in Tamil Nadu for their personal gain.

4.Taking into consideration the period of incarceration and also of the fact that the quantity of contraband seized is intermediate quantity, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5.Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of **Rs.10,000/- (Rupees Ten**



Crl.O.P.No.11148 of 2024

WEB COPY

Thousand only) with two sureties, **(one must be a blood surety)**, each for a like sum to the satisfaction of the learned **Additional District Judge and Special Officer, Special Court under EC & NDPS Act, Coimbatore** 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, everyday at 10.30 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 absconds, a fresh FIR can be registered under Section 229A IPC.

08.05.2024

vum



WEB COPY



Crl.O.P.No.11148 of 2024

K.KUMARESH BABU, J.

vum

To

- 1.The Additional District Judge
and Special Officer,
Special Court under EC & NDPS Act,
Coimbatore.
- 2.The Inspector of Police,
Selvapuram Police Station,
Coimbatore.
- 3.The Central Prison, Coimbatore.
4. The Public Prosecutor, High Court of Madras.

Crl.O.P.No.11148 of 2024

08.05.2024