



Crl.O.P.No.11677 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.05.2024

CORAM

THE HON'BLE MR. JUSTICE K. KUMARESH BABU

Crl.O.P.No.11677 of 2024

Rathishkumar

...Petitioner

Vs.

State represented by
The Sub Inspector of Police,
Pew-Perambalur Police Station
Perambalur District
(Crime No.171 of 2024)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.171 of 2024 on the file of the respondent Police.

For Petitioner : Mr.K.Karuppaiya Mooppanar

For Respondent : Mr.S.Santhosh

Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.03.2024 for the offences registered by the respondent punishable under Sections 8(c), 20(b)(ii)(A) of NDPS Act and Section 77 of the Juvenile Justice Act 2015, in Crime No.171 of 2024 on the file of the respondent, seek bail.

2.It is stated that the respondent police received secret information on 20.03.2024 at about 08.00 am and they rushed to the spot. Thereby, the petitioner was found in possession of 250 gram of Kanja and on seeing the police, the petitioner tried to flee from the scene of occurrence. The respondent Police caught the petitioner along with contraband material and arrested the petitioner. Subsequently, the respondent Police remanded the petitioner to judicial custody. Hence this petition.

3.It is stated by the learned Government Advocate (crl.side) that the petitioner was in possession of 250 gram of Kanja. He further stated that one previous case is pending against the petitioner.

4.The learned counsel for the petitioner stated that the petitioner is



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an innocent person and he is no way connected with this case.

5.Taking the period of incarceration into consideration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail on condition to execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, 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, twice a day (i.e) 10.30 a.m. and 5.30 p.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



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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.

09.05.2024

msv

To

1. Judicial Magistrate No.I Perambalur, Perambalur District
2. The Sub Jail Perambalur
- 3.The Sub Inspector of Police,
Pew-Perambalur Police Station
Perambalur District
- 4.The Public Prosecutor, High Court of Madras.



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K. KUMARESH BABU. J.

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