



Crl.OP.No.11744 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.05.2024

CORAM

THE HON'BLE MR. JUSTICE C.SARAVANAN

Crl.OP.No.11744 of 2024

R. Manjunath

..Petitioner/Accused

Vs.

State rep.by,
The Inspector of Police,
HUDCO Police Station,
Krishnagiri District.
(Crime No.119 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.119 of 2024
pending investigation on the file of the respondent police.

For Petitioner : Mr.C.V.Kumar

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



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ORDER

The petitioner was arrested and remanded to judicial custody on 22.04.2024 for the offences punishable under **Sections 8(c) & 20 (b) (ii) (A) of NDPS Act & 77 of Juvenile Justice Act in Crime No.119 of 2024** on the file of the respondent police, seeks bail.

2. The case of the prosecution is the petitioner was found in illegal possession of 150 gms of Ganja near Government High School in Hozur and arrested on 22.04.2024.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner has been suffering incarceration from 22.04.2024. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner was found in illegal possession of 150 gms of Ganja near a Government High School in Hozur. Hence, he vehemently opposed for grant of bail to the petitioner.



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5. Since the quantity involved in this case is not a commercial quantity and there are no records to indicate the involvement of the petitioner for similar offence in the past, the petitioner is entitled for bail.

6. Considering the above facts and circumstances of the case and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions;

7. Accordingly, the petitioner is directed to deposit a sum of **Rs.5,000/- (Rupees Five Thousand only), to the credit of the Crime No.119 of 2024** and on such deposit 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, No-II, Hosur, Krishnagiri 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 **deposit a sum of Rs.5,000/- (Rupees Five Thousand only), to the credit of the Crime No.119 of 2024** and



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that the receipt of such payment shall be produced before the concerned Magistrate at the time of executing the bond;

[c] the petitioner shall report before the respondent police every Saturday at 10.30 a.m. until further orders.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

22.05.2024

vsn



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To

- 1.The Inspector of Police,
HUDCO Police Station,
Krishnagiri District.
- 2.The Judicial Magistrate No.II, Hosur.
- 3.The Sub Jail, Hosur,
Krishnagiri District.
- 4.The Public Prosecutor,
High Court of Madras



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C.SARAVANAN, J.

vsn

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