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Crl.O.P.No.12503 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.05.2024

CORAM

THE HON'BLE MR. JUSTICE C.SARAVANAN

Crl.O.P.No.12503 of 2024

Suseentharan

.. Petitioner

Vs.

State represented by,
The Inspector of Police,
Perambalur Police Station,
Perambalur District.
Crime No.231 of 2024

.. Respondent

PRAYER : Criminal Original Petition is filed under Section 439 of Cr.P.C.
pleaded to enlarge the petitioner on bail in Crime No.231 of 2024 pending
on the file of the respondent Police.

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



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ORDER

The petitioner was arrested and remanded to judicial custody on 27.03.2024 for the offences punishable under Section 20(b)(ii)(A) of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 77 of Juvenile Justice Act, 2015 in Crime No.231 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 40 grams of Ganja, with an intention to sell the same to the school going children. Hence, the case was registered against the petitioner.

3.The learned counsel appearing for the petitioner would submit that a false case has been foisted against the petitioner. He would also submit that the petitioner was arrested and remanded to judicial custody on 27.03.2024. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl side) for the respondent would submit that the petitioner was found in possession of 40 grams of Ganja, with an intention to sell the same to the school going children. He would further submit that there is no previous case against the petitioner.



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5.Considering the above facts and circumstance of the case and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions;

6. Accordingly, the petitioner is directed to deposit a sum of **Rs.15,000/- (Rupees Fifteen Thousand only), to the credit of the Crime No.231 of 2024 and donate a further sum of Rs.5,000/- (Rupees Five thousand only) to the Blue Cross Society or any other Animal welfare Society in Perambalur** 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-I, Perambalur 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.15,000/- (Rupees Fifteen Thousand only), to the credit of the Crime No.231 of 2024 and**



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and donate a further sum of Rs.5,000/- (Rupees Five thousand only) to the Blue Cross Society or any other Animal welfare Society in Perambalur and 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 daily 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.

23.05.2024

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To

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



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C.SARAVANAN, J.

smv

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