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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2024

CORAM

**THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

Crl.O.P.No.13757 of 2024

Kundala Seenu

... Petitioner

Vs.

State Rep by.  
The Inspector of Police,  
T-13 Chitalapakkam Police Station,  
Chennai. Crime No. 98 of 2023.

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
pleased to enlarge the petitioner on bail in C.C No. 484 of 2023 on the file  
Principal Special Judge EC & NDPS Act Cases, Chennai.

For Petitioner : Mr.R.Thamarai Selvan  
for C.H. Srikanth  
For Respondent : Mr.Meganathan  
Government Advocate (Crl. side)



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## **ORDER**

The petitioner, who was arrested and remanded to judicial custody on **17.03.2023** for the alleged offences punishable under Sections **8 (c ) r/w 20 (b) (ii) (c), 29(1) and 25** of **Narcotic Drugs and Psychotropic Substances Act, 1985 in crime No. 98 of 2023 (CC No. 484 of 2023)** on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the respondent police found the accused persons with illegal possession of 52 kgs of Ganja. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case as if he possessed Ganja. Further, he submitted that based on the confession statement the petitioner has been implicated in this case. Learned counsel prays to grant bail to the petitioner.

4. On the other side, the learned Government Advocate (Crl. side) submits that there is no previous case pending against the petitioner. However, he raised objection to grant bail.



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5. Considering the fact that the petitioner has been in jail for more than 15 months and also final report has been filed in this case. Further, there is no bad antecedents against the petitioner. Hence, this Court is inclined to grant bail to the petitioner.

6. 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 ( one surety must be from his native place)**, each for a like sum to the satisfaction of the **learned Judicial Magistrate - I, Tambaram, Chennai**, 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 respondent police on every Tuesday and Sunday 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 abscond, a fresh FIR can be registered under Section 229A IPC.

**25.06.2024**

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**T.V.THAMILSELVI,J.**

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To

1. The **Judicial Magistrate - I, Tambaram, Chennai.**
2. The Inspector of Police,  
T-13 Chitalapakkam Police Station,  
Chennai.
3. The Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,  
High Court of Madras.

**Crl.O.P.No.13757 of 2024**

**25.06.2024**