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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2024

CORAM

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

Crl.O.P.No.13499 of 2024

Hariharan

... Petitioner

Vs.

State Rep by.

The Inspector of Police

Sundarapuram Police Station, Coimbatore District.

Crime No. 90 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail pending investigation in Crime. No.
90 of 2024 on the file of the respondent police.

For Petitioner : Mr.Srinath

For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (Crl. side)

ORDER



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The petitioner, who was arrested and remanded to judicial custody on **17.05.2024** for the alleged offences punishable under Sections **8 (c) 22(b) and 25 of NDPS Act in crime No. 90 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police found the petitioner with illegal possession of 9.4 grams of Methamphetamine. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this and also the contraband seized from the petitioner is intermediate quantity. Hence, he prays to allow this petition.

4. On the other side, the learned Government Advocate (Crl. side) submits that 9.4 grams of Methamphetamine has been seized from the accused persons. He raised objection to grant bail.

5. Considering the facts of the case, the contraband seized from the petitioner is intermediate quantity and the investigation is almost completed. Hence, this Court is inclined to grant bail to the petitioner.



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5. 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 must be a blood surety)**, each for a like sum to the satisfaction of the **learned Additional District Judge/Presiding Officer, Special Courts for Essential Commodities Act cases, 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 on alternative days at 10.30 a.m., for a period of six months. Further, the petitioner shall deposit a sum of Rs.10,000/- to the credit of **Kaakkum Karangal Old Age Home, 89/47, Santhome High Road, Santhome, Chennai-600 028, A/c No.000101219273, ICICI Bank, Santhome Branch, IFSC Code:ICIC0003432, MICR Code:600229120, Swift Code: ICICINBBXXX, Mobile No.9840068800.**

[c] the petitioner shall not abscond either during investigation or trial;



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[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.

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T.V.THAMILSELVI,J.

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To

1. The **Additional District Judge/Presiding Officer, Special Courts for Essential Commodities Act cases, Coimbatore.**

2. The Inspector of Police
Sundarapuram Police Station, Coimbatore District.

3. The Central Prison, Coimbatore.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.13499 of 2024

28.06.2024