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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

CrI.O.P.No.13703 of 2024

Vidhan @ Vidhan Kumar

... Petitioner

Vs.

State Rep by.
The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai. Crime No. 321 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. 105 of 2024 on the file
of the Court.

For Petitioner : Mr.P.Surendran
For Respondent : Mr.Meganathan
Government Advocate (CrI. side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on **15.09.2023** for the alleged offences punishable under Sections **8 (c) r/w 22(c), 29(1)** of **Narcotic Drugs and Psychotropic Substances Act, 1985 in crime No. 321 of 2023 (CC No. 105 of 2024)** on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused were found to be in illegal possession of 450 Nitravet - 10 tablets. 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 the nitravet tablet. Further, he submitted that contraband seized from this petitioner is intermediate quantity. Learned counsel prays to grant bail to the petitioner.

4. On the other side, the learned Government Advocate (Crl. side) submits that the petitioner is having five previous cases. However, he raised objection to grant bail.

5. Considering the fact that the petitioner has been in jail for more



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than eight months and also final report has been filed in this case. Further, he availed with bail in other cases. 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 must be a blood surety)**, each for a like sum to the satisfaction of the **learned II Additional Special Court for Exclusive Trial of cases under NDPS Act cases, 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 daily at 10.30 a.m.,for a period of three months;

[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 **II Additional Special Court for Exclusive Trial of cases under NDPS Act cases, Chennai.**
2. The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai.
3. The Central Prison - II, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.13703 of 2024

25.06.2024