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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2024

CORAM

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

Crl.O.P.No.14692 of 2024

B.Alex

... Petitioner

Vs.

State Rep by.

The Inspector of Police

H-16, R.K. Nagar, Chennai

Crime No. 784 of 2022

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner/accused on bail pending trial in CC No. 924
of 2023 in crime No. 784 of 2022 on the file of I Additional Special Court
for Exclusive Trial of NDPS Act, Chennai.

For Petitioner : Mr.D.P.Vishal

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.12.2022 for the alleged offences punishable under Sections **8 (c) 22(c) and 29(1) of NDPS Act, in crime No. 784 of 2022** 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 915 Nitrovet tablet. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case 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 300 Nitrovet tablets recovered from this petitioner and also there is no previous case pending against the petitioner.

5. Considering the facts of the case, there is no bad antecedents against the petitioner and also the contraband seized from the petitioner is intermediate quantity and the investigation is 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 I Additional Special court under EC and NDPS Act, 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 the respondent police daily at 10.00 a.m., until further orders. Further, the petitioner shall deposit a sum of Rs.10,000/- to the credit of registered Advocate Clerk's Welfare Association, Chennai.

[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



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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 **I Additional Special court under EC and NDPS Act, Chennai.**
2. The Inspector of Police
H-16, R.K. Nagar, Chennai.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.14692 of 2024

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