



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2024

CORAM

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

Crl.O.P.No.14128 of 2024

Logeshwaran @ Logu

... Petitioner

Vs.

State Rep by.
The Inspector of Police,
B-1, North Beach Police Station,
Chennai.
Crime No. 185 of 2023.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail pending investigation in crime No.
185 of 2023 on the file of the respondent police.

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



WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on **23.06.2023** for the alleged offences punishable under Sections **8 (c) , 22(c) and 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985 in crime No. 185 of 2023** 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 60 grams of Methamphetamine. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and also near about one year petitioner has been in judicial custody. Learned counsel prays to grant anticipatory 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 and also stated that final report has been filed in this case. However, he raised objection to grant bail.



WEB COPY

5. Considering the fact that the petitioner has been in jail for more than 11 months and also final report has been filed in this case. 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 Principal Special Court, 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 the respondent police daily at 10.30 a.m., and 5.30 p.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;



WEB COPY



[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.

24.06.2024

pbl

T.V.THAMILSELVI,J.



WEB COPY

pbl

To

1. The **Principal Special Court, NDPS Act Cases, Chennai.**
2. The Inspector of Police,
B-1, North Beach Police Station,
Chennai.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.14128 of 2024

24.06.2024