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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.13870 of 2024

Kumaresan

... Petitioner

Vs.

State Rep by.
The Inspector of Police,
T-5 Tiruverkadu Police Station,
Chennai.
Crime No. 245 of 2024.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in crime No. 245 of 2024 on the file
of respondent police.

For Petitioner : Mr. S.Gokulakannan
For Respondent : Mr.Meganathan
Government Advocate (CrI. side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on **02.05.2024** for the alleged offences punishable under Sections **353, 336, 506(ii) IPC and 8 (c) r/w 20(b)(ii)(B), 29(1) of Narcotic Drugs and Psychotropic Substances Act, 1985 in crime No. 245 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 5kgs of Ganja along with five knife. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he is an innocent person. Further, he submitted that contraband seized from the accused persons 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 two case is pending against the petitioner. However, he raised objection to grant bail.



5. Considering the period of incarceration undergone by the petitioner and also investigation is almost completed. Further, the contraband seized from the petitioner is intermediate quantity and 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 Judicial Magistrate -II,Ponnamallee**, 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., until further orders . Further, the petitioner shall deposit a sum of **Rs. 10,000/- to the credit of the Sri Kalai Environment Education and Health Trust (For cremation of the dead body) C/A.No.33086854732, State Bank of**



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India IFSC Code.SBIN0011718, Valachery Branch,
100 FT Road, Rajalakshmi Nagar, Valachery,
Chennai-42 **within a period of two weeks from the
date of receipt of a copy of this order.**

[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.

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T.V.THAMILSELVI,J.

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To

1. The **Judicial Magistrate -II,Ponnamallee**
- 2.The Inspector of Police,
T-5 Tiruverkadu Police Station,
Chennai.
3. The Central Prison, Puzhal-I, Chennai.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.13870 of 2024

25.06.2024