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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.14400 of 2024

Murugesan

... Petitioner

Vs.

State Rep by.
The Inspector of Police,
E-4 Kattur Police Station,
Tiruvallur.
Crime No. 621 of 2023.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail pending investigation in C.C No.
103 of 2024 in crime No. 621 of 2023 on the file of the respondent police.

For Petitioner : Mr. N.S.Suganthan
For Respondent : Mr.Meganathan
Government Advocate (Crl. side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on **01.12.2023** for the alleged offences punishable under Sections **8 (c) , 22(c) of Narcotic Drugs and Psychotropic Substances Act, 1985** in **crime No. 621 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 50 grams of Methamphetamine. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case based on the confession of other accused. Learned counsel prays to grant anticipatory bail to the petitioner.

4. On the other side, the learned Government Advocate (Crl. side) submits that the petitioner is having 10 previous cases. However, he raised objection to grant bail.

5. Considering the period of incarceration undergone by the petitioner and also investigation has been completed and final report also taken on file in C.C No. 103 of 2024. Further, he availed with bail in other cases. Hence, this Court is inclined to grant bail to the petitioner.



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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, under EC & 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 Nagarkovil town police station daily at 10.30 a.m., and 5.30 p.m., for a period of four 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.

24.06.2024

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T.V.THAMILSELVI,J.



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To

1. The **Principal Special Court, under EC & NDPS Act, Chennai.**
2. The Inspector of Police,
E-4 Kattur Police Station,
Tiruvallur.
3. The Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.14400 of 2024

24.06.2024