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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2024

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

Crl.O.P.No.14540 of 2024

Sideeshvaran

... Petitioner

Vs.

State Rep by.

The Inspector of Police

C1, Flower Bazar Police Station, Chennai.

Crime No. 47 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge them on bail in crime No. 39 of 2024 pending on the file
of the The Inspector of Police, C1, Flower Bazar Police Station, Chennai.

For Petitioner : Mr.S.Kasirajan
for Mr.M.Ramakrishnan
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 28.03.2024 for the alleged offences punishable under Sections 8 (c) r/w 22(c), 25, 29(1) of NDPS Act, 1985 in crime No. 47 of 2024 on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police found the accused persons along with possession of 0.095 grams of LSD stamp. 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 0.095 grams of LSD stamp has been recovered from the accused persons. Further, he submitted that no previous case pending against the petitioner. However, he raised objection to grant bail.

5. Considering the facts and circumstances of the case and also



there is no bad antecedents against petitioner and also the contraband seized from the petitioner is intermediate quantity. Hence, this Court is inclined to grant bail to the petitioner.

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 Principal Special Judge, Special Court for Exclusive Trial of Cases under NDPS Act, Madras**, 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 is directed to deposit a sum of **Rs.15,000/-** to the credit of Tamil Nadu



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Advocate Clerks' 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 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 for Exclusive Trial of Cases under NDPS, Chennai.**

2. The Inspector of Police
T-16, Semmanchery Police Station

3. The Central Prison, Puzhal.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.14540 of 2024

11.07.2024