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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2024

CORAM

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

Crl.O.P.No.14574 of 2024

1.Jaikumar Singh
2.Dashrath Rajak

... Petitioners

Vs.

State Rep by.
The Inspector of Police
PEW Vellore Police Station,
Vellore District. Crime No. 332 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to order enlarge the petitioners on bail pending in crime No. 332 of
2024 on the file of the respondent.

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



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 15.05.2024 for the alleged offences punishable under Sections 8 (c) r/w 20(b)(ii)(B) of NDPS Act, in crime No. 332 of 2024 on the file of the respondent, seek bail.

2. The case of the prosecution is that the respondent police found the accused persons with illegal possession 6 kgs of Ganja. Hence, the case.

3. The learned counsel for the petitioners submit that the petitioners have been falsely implicated in this case and the petitioners are ready to abide any conditions. Hence, he prays to allow this petition.

4. On the other side, the learned Government Advocate (Crl. side) submits that contraband seized from the petitioners is intermediate quantity. He raised objection to grant bail.

5. Considering the facts that the contraband seized from the petitioners is intermediate quantity and also the investigation is almost completed. Hence, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on



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his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties (one blood surety and one local surety)**, each for a like sum to the satisfaction of the **learned Magistrate Court No.2, Salem**, 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 petitioners shall report before the respondent police on alternative days at 10.30 a.m., until further orders. Further, the petitioners shall deposit a sum of **Rs.15,000/- to the credit of registered Advocate clerk's Welfare Association, Chennai.**

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners 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 **Magistrate Court No.2, Salem**

2.The Inspector of Police
PEW Vellore Police Station,
Vellore District.

3. The Central Prison, Salem.

4. The Public Prosecutor,
High Court of Madras.

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