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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2024

CORAM

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

Crl.O.P.No.15451 of 2024

Senthamilzh Selvan

... Petitioner

Vs.

State Rep by.
The Inspector of Police
T-4 Shankar Nagar Police Station, Chennai.
Crime No. 629 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in CC No. 228 of 2024 on the file of
the Ist Additional District Judge, Special Court NDPS & EC Act, Chennai.

For Petitioner : Mr.A.Elumalai
For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (Crl. side)

ORDER



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The petitioner, who was arrested and remanded to judicial custody on **11.10.2023** for the alleged offences punishable under Sections **8 (c) 20 (C), 29(1) of NDPS Act and 4(b) IES Act in crime No. 629 of 2023** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police found the accused persons with possession of 0.110 grams of LSD stamp and country bomb and Patta knife. 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 was not recovered from this petitioner. Hence, he prays to allow this petition.

4. On the other side, the learned Government Advocate (Crl. side) submits that 0.110 grams of LSD stamp, country bomb and Patta knife have been recovered from the accused persons. Further, he submitted that there are six previous case pending against the petitioner. However, he raised objection to grant bail.



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5. Considering the facts and circumstances of the case and also the period of incarceration undergone by the petitioner and also the contraband was not recovered from this petitioner. 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 I Additional District Judge, Special Court NDPS & EC 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 respondent police daily at 10.30 a.m., until further orders. Further, the petitioner shall deposit a sum of **Rs.15,000/-** to the credit of the The Principal Govt



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[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.

10.07.2024

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T.V.THAMILSELVI,J.



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To

1. The **I Additional District Judge, Special Court NDPS & EC Act, Chennai.**

2. The Inspector of Police
T-4 Shankar Nagar Police Station, Chennai.

3. The Central Prison, Puzhal, Chennai.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.15451 of 2024

10.07.2024