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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.15247 of 2024

Dheenakumar @ Nandu

... Petitioner

Vs.

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

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioners on bail in C.C No. 103 of 2024, on the file
of the Special Court under EC & NDPS Act, Chennai District.

For Petitioner : Mr.P.Chandrasekar

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 **24.11.2023** for the alleged offences punishable under Sections **8 (c) r/w 22(c) of NDPS Act, 1985 in crime No. 621 of 2023** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police found the accused person with possession 10 grams of Amethamphetamine. 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 recovered 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 the petitioner is having 3 previous cases. Hence, 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 recovered from this petitioner is intermediate quantity. 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, Ponneri**, 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 registered Advocate Clerk's Welfare Association, Thiruvallur District.

[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 **Judicial Magistrate II, Ponneri.**

2. The Inspector of Police,
E-4, Kattur Police Station,
Thiruvallur District.

3. The Central Prison, Puzhal, Chennai.

4. The Public Prosecutor,
High Court of Madras.

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