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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2024

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

Crl.O.P.No.16108 of 2024

V.Pradeep

... Petitioner

Vs.

State Rep by.

The Inspector of Police

N-2, Kasimedu Police Station,

Chennai - 600 013.

Chennai. Crime No. 112 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,

pleaded to enlarge the petitioner on bail pending in crime No. 112 of 2024 on

the file of the Inspector of Police, N-2, Kasimedu Police Station, Chennai.

For Petitioner : Mr.S.Kasirajan for
Mr.R.Karan

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 **19.03.2024** for the alleged offences punishable under Sections **8 (c), 22 (c) 29 (1) of NDPS Act, in crime No. 112 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police found the accused person with illegal possession of 1056 grams of tablets. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner submits that the petitioner has been falsely implicated in this case and also 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 based on the confession of A1 the petitioner has been implicated in this case and also one previous case pending against the petitioner. Hence, he raised objection to grant bail.

5. Considering the facts of the case, the contraband was not seized from the petitioner and also co-accused has been released on bail. Hence,



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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 XVI Metropolitan Magistrate, George Town, 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 on every Saturday at 10.30 a.m., until further orders. Further, the petitioner is directed to deposit a sum of Rs.10,000/- to the credit of the **Registered Advocate Clerks' Welfare Association, Chennai.**

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



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[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.

15.07.2024

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T.V.THAMILSELVI,J.

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To

1. The Principal Special NDPS Act cases Court, Chennai,

2. The Inspector of Police
N-2, Kasimedu Police Station,
Chennai - 600 013.

3. The Central Prison, Puzhal.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.16108 of 2024

15.07.2024