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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2024

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

Crl.O.P.No.16760 of 2024

Kaseef

... Petitioner

Vs.

State Rep by.
The Inspector of Police
B2, Esplanade Police Station,
Chennai District.
Crime No. 137 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner/accused on bail in crime No. 137 of 2024
dated 24.05.2024 pending on the file of the respondent police.

For Petitioner : Mr.K.Vignesh
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 25.05.2024 for the alleged offences punishable under Sections 174 Cr.P.C @ 304 IPC @ **8 (c) r/w 21(a), 29(1) of NDPS Act in crime No. 137 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that on 24.05.2024, the defacto complainant lodged a complaint before respondent police stated that his son and his friend Abinesh purchases drugs from Kaseef, Selvi and Lokesh and dissolve the same in water and injected into their body using syringe. On 24.05.2024, at about 06.00 hours, the deceased/ his son went along with Kaseef and they consumed drugs. Thereafter, at 03.30 hours, his wife received a phone call from Kaseef and stated that his son became unconscious and admitted in Stanley Hospital. Thereafter, the defacto complainant and his wife went to the said hospital where they came to know that deceased died . Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. Further he stated that the petitioner is aged about 19 years and also there is no bad antecedents against the



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petitioner. Hence, he prays to allow this petition.

4. On the other side, the learned Government Advocate (Crl. side) submits that the investigation is almost completed. However, he raised objection to grant bail.

5. Considering the facts and circumstances of the case and also the age of the petitioner and also there is no previous case pending against the petitioner. Further, the investigation is almost completed in respect of 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 VII Metropolitan Magistrate, George Town**, 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 10.00 a.m., and 05.30. p.m for a period of three months.

[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.

22.07.2024

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T.V.THAMILSELVI,J.



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To

1. The **VII Metropolitan Magistrate, George Town.**
2. The Inspector of Police
B2, Esplanade Police Station,
Chennai District.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.16760 of 2024

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