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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.16584 of 2024

1.Yogaraj
2.Danush

... Petitioners

Vs.

State Rep by.
The Inspector of Police
T-2, Ambattur Estate Police Station, Ambattur,
Chennai. Crime No. 332 of 2024

... Respondent

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

For Petitioners : Mr.M.Sasikumar
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 29.05.2024 for the alleged offences punishable under Sections 8 (c) r/w 22 (b) 25 and 29(1) 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 person with illegal possession of 1200 grams of Nitravet tablets. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioners have been falsely implicated in this case and also contraband was not recovered from these petitioners. Hence, he prays to allow this petition.

4. On the other side, the learned Government Advocate (Crl. side) submits that there is no previous case pending against the petitioners. However, he raised objection to grant bail.

5. Considering the facts of the case, the contraband was not seized from the petitioners and there is no previous case pending against them. Hence, this Court is inclined to grant bail to the petitioners.



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5. Accordingly, the petitioners are 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 Court, Ambattur, 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 petitioners shall report before the respondent police on every Saturday at 10.30 a.m., until further orders. Further, the petitioners are directed to deposit a sum of Rs.10,000/- each to the credit of the Registered Advocate Clerks' 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 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.

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T.V.THAMILSELVI,J.

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To

1. The **Judicial Magistrate Court, Ambattur, Chennai**

2. The Inspector of Police

T-2, Ambattur Estate Police Station, Ambattur,
Chennai.

3. The Central Prison, Puzhal, Chennai.

4. The Public Prosecutor,
High Court of Madras.

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