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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2024

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

Crl.O.P.No.16736 of 2024

Sri Vigneshwar

... Petitioner

Vs.

State Rep by.
The Inspector of Police
R9, Valasaravakkam Police Station.
Crime No. 345 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail pending investigation in CC No. 541
of 2024 on the file of the I Additional Special Court EC & NDPS Act at
Chennai.

For Petitioner : Mr.P.Sundara Rajan
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 01.05.2024 for the alleged offences punishable under Sections **8 (c) r/w 22(b), 29(1) of NDPS Act and 77 JJ Act in crime No. 345 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police found the accused persons with illegal possession of 7 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 alleged contraband seized from the petitioner is not a commercial quantity. 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 petitioner. However, he raised objection to grant bail.

5. Considering the facts of the case, the contraband seized from the petitioner is intermediate quantity and also the petitioner is having no previous cases. Further, the investigation has been completed and final report



also filed. 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 Special court EC & NDPS 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., for a period of three months. Further, the petitioner shall deposit a sum of **Rs.10,000/- to the credit of Akshaya Trust, HDFC Bank, Royapettah Branch, SB A/c.No.50100229455060. IFSC Code No.HDFC0003631.**

[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.

16.07.2024

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T.V.THAMILSELVI,J.

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To

1. The **I Additional Special court EC & NDPS Act, Chennai.**
2. The Inspector of Police
R9, Valasaravakkam Police Station.
3. The Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.16736 of 2024

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