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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2024

CORAM

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

CrI.O.P.No.16905 of 2024

Sankar

... Petitioner

Vs.

State Rep by.
The Inspector of Police
B1 North Beach Police station,
Chennai.
Crime No. 3 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail in CC No. 884 of 2023 on the file of
the Ist Additional NDPS Court, Chennai.

For Petitioner : Mr.S.Ramachandran
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 **05.01.2023** for the alleged offences punishable under Sections **9(A), 22 (c) @ 8 (c), 22(c) & 29(1) of NDPS Act in crime No. 3 of 2023** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police found the petitioner along with other accused persons with illegal possession of 50 grams of Methamphetamine. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been fasely implicated in this case and also contraband was not seized from the petitioner. Hence, he prays to allow this petition.

4. On the other side, the learned Government Advocate (Crl. side) submits that two previous cases pending against the petitioner. However, he raised objection to grant bail.

5. Considering the period of incarceration undergone by the petitioner and also the contraband was not seized from the petitioner and investigation is completed. 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 court, 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 on every Saturday at 10.30 a.m., and also appear before the Trial Court on every Tuesday at 10.30 a.m., until further orders;

[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.

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T.V.THAMILSELVI,J.

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To

1. The **VII Metropolitan Magistrate court, George Town.**

2.The Inspector of Police
B1 North Beach Police station,
Chennai.

3. The Central Prison, Puzhal.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.16905 of 2024

25.07.2024