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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2024

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

Crl.O.P.No.17234 of 2024

Ramesh

... Petitioner

Vs.

State Rep by.
The Inspector of Police
R-10, MGR Nagar Police Station,
Chennai District.
Crime No. 237 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner/accused on bail Crime No. 237 of 2024 on
the file of the respondent police MGR Nagar Police Station, Chennai District.

For Petitioner : Mr.P.Muthamizh Selvakumar
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 11.06.2024 for the alleged offences punishable under Sections 8 (c) r/w 20 (B) (ii) (B), 25, 29(1) of NDPS Act, 1985 and 328 of IPC in crime No. 237 of 2024 on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police found the petitioner with illegal possession of 1.500 kilograms of Ganja and Tydol Tablets. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and also the 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) admitted that contraband was not recovered from this petitioner. However, he raised objection to grant bail.

5. Considering the facts of the case, the contraband was not seized from the petitioner and also the investigation is almost completed. Hence, this Court is inclined to grant bail to the petitioner.



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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 XXIII Metropolitan Magistrate Court, Saidapet**, 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., until further orders. Further, the petitioner is directed to deposit a sum of **Rs.10,000/- to the credit of Madras High Court Advocate Clerks Welfare Association, Chennai.**A/c No. 484077244 Bank : Indian Bank Branch : High Court.

IFSC Code : IDIB000M157

[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.

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T.V.THAMILSELVI,J.

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To

1. The **XXIII Metropolitan Magistrate Court, Saidapet.**
2. The Inspector of Police
R-10, MGR Nagar Police Station,
Chennai District.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.17234 of 2024

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