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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2024

CORAM

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

Crl.O.P.No.18011 of 2024

Selvi

... Petitioner

Vs.

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

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail pending investigation in connection
with crime No. 137 of 2024 on the file of the respondent police.

For Petitioner : Mr.E.Gopala Krishnan
For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (Crl. side)

ORDER



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The petitioner, who was arrested and remanded to judicial custody on 24.05.2024 for the alleged offences punishable under Sections **174 Cr.P.C and 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 the petitioner sold Tydol tablets to the deceased and the deceased mixed the said tablet with glucose and injected the same into his body, due to which, he fainted and thereafter he was taken to hospital where he died. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and the petitioner is ready to abide any conditions. Hence, he prays to allow this petition.

4. On the other side, the learned Government Advocate (Crl. side) submits that the petitioner supplied the contraband to the minor and also to deceased and also A1 is still absconding. Hence, he raised objection to grant bail.

5. Considering the period of incarceration undergone by the



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petitioner and investigation is almost completed. Hence, this Court is inclined to grant bail to the petitioner.

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 Metropolitan Magistrate VII, George Town, 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., until further order. Further, the petitioner shall deposit a sum of Rs. 50,000/- to the credit of the crime No. 137 of 2024 and the defacto complainant is permitted to withdraw the same.

[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 **Metropolitan Magistrate VII, George Town, Chennai.**

2.The Inspector of Police
B2 Esplanade Police Station,
Chennai.

3. The special prison for women, Puzhal, Chennai.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.18011 of 2024

30.07.2024