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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2024

CORAM

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

Crl.O.P.No.17307 of 2024

Ragul

... Petitioner

Vs.

State Rep by.

The Inspector of Police

PEW Poonamallee Unit.

Crime No. 253 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased that bail may be granted to the petitioner on the file of the crime No.
253 of 2024 respondent police PEW Poonamallee Unit, Chennai.

For Petitioner : Mr.P.Sundararajan

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 04.05.2024 for the alleged offences punishable under Sections 8 (c) 20 (b)(ii)(C), 29(1) of NDPS Act in crime No. 253 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 possession of 30 kgs of Ganja. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely 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) admits that contraband was not recovered from the petitioner but he coordinated the other accused persons. Further, he stated 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 was not seized from the petitioner and also there is no bad antecedents against the petitioner. Hence, this Court is inclined to grant bail to the petitioner.



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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 Judicial Magistrate - II, Poonamallee, 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. 15,000/- to the credit of the The Principal Govt Yoga and Naturopathy Medical College, A/c.No.30143474408IFSC Code : SBIN0002196 MICR No.600002005

[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 **Judicial Magistrate - II, Poonamallee, Chennai.**
2. The Inspector of Police
PEW Poonamallee Unit.
3. The Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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