



WEB COPY



Crl.O.P.No.22578 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2024

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.22578 of 2024

Dhanush

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
PEW Ambattur Police Station
Chennai.
Cr.No. 318 of 2024

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, 2023, praying to enlarge the petitioner on bail in C.C.No. 461 of 2024 on the file of II Additional Special Judge for NDPS Act Cases, Chennai.

For Petitioner : Mr. O.Chembulingam

For Respondent : Mr.S.Vinothkumar
Government Advocate (Crl. Side)



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Ganja for sale and hence he objected to grant bail to the petitioner. He further submitted that the petitioner is having one previous case and he was released on bail in that case and the order of detention was revoked.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and considering the nature of offences and quantity of materials involved in this case are not in commercial quantity, that the petitioner is having one previous case, but in that case is not of similar kind of offences and in that case, the petitioner was released on bail and also considering the period of incarceration underwent by the petitioner and thereafter the order of detention was revoked, I am inclined to grant bail to the petitioners, subject to the following conditions:

[a]. 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, each for a like sum to the satisfaction of the court of *II Additional Special Judge for NDPS Act, Chennai* and on further



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conditions that:

[b] the petitioner shall report before the learned *II Additional Special Judge for NDPS Act, Chennai*, on all working days at 10.30 a.m. until further orders;

[c] The petitioner shall attend in accordance with the conditions of the bond;

[d] The petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[e] The petitioner shall not abscond either during investigation or trial;

[f] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with evidence;

[g] on breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the



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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]; and

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of the BNS.

19.09.2024

vsg

To

1. II Additional Special Judge for NDPS Act, Chennai.
2. Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
PEW Ambattur Police Station
Chennai.
4. The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.

vsg



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