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CRL O.P. No.20567 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.08.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

CRL OP.No.20567 of 2024

Lavanya,
W/o.Jeyakumar

... Petitioner

Vs

State rep. by:-

The Inspector of Police,
T-15, Kannagi Nagar Police Station,
Tambaram City.
[Cr.No.221 of 2024]

... Respondent

PETITION FOR BAIL Under Sec.483 of B.N.S.S.

PRAYER: - The Criminal Original Petition is filed under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant bail to the petitioner/Accused in Crime No.221 of 2024 on the file of the respondent police.

For Petitioner : Mr.D.Manojkumar
For Respondent : Mr. S.Vinoth Kumar
Government Advocate (Crl.Side)



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ORDER

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The petitioner, who was arrested and remanded to judicial custody on 23.07.2024 for the offences punishable under sections 8(c) r/w.22(b) & 29(1) of NDPS Act in Crime No.221 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 09.04.2024 based on secrete information, the respondent police conducted surprise check up at that time the respondent police found illegal possession of 40Nos' of Nitrovet Tablets along with 300Nos' of Tydol Tablets from the petitioner. Hence, the complaint.

3. The learned counsel for the petitioner would contend that this petitioner was falsely implicated in this case. This petitioner is an innocent person and she has nothing to do with the commission of alleged offences and she is ready to abide by any condition imposed by this Court. Hence, he seeks bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) would submit that the respondent police found illegal possession of 40Nos' of Nitrovet Tablets along with 300Nos' of Tydol Tablets from the petitioner. The petitioner was arrested and remanded to judicial custody on 23.07.2024. This petitioner had two previous cases. Hence, he objected to grant bail to the petitioner.

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

6. Considering the rival submissions on either side and considering the fact that the contraband involved in this case is not a commercial quantity and also considering the period of incarceration underwent by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:



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[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 learned **Principal Special Judge for EC & NDPS Court at Chennai** and on further conditions that:

[b] the petitioner shall report before the learned Principal Special Judge for EC & NDPS Court at Chennai on every working day 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 she is accused; or suspected, or of the commission of which she is suspected; and



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[e] 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 the evidence;

[f] the petitioner shall not abscond either during investigation or trial;

[g] On breach of any of the aforesaid conditions, the learned Judicial 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].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

28.08.2024

index: Yes/No

Internet: Yes/No

Speaking/Non Speaking order

gvn

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P.DHANABAL,J

gvn

To

- 1.The Principal Special Judge for EC & NDPS Court,
Chennai.
- 2.The Inspector of Police,
T-15, Kannagi Nagar Police Station,
Tambaram City.
3. Central Prison, Puzhal.
- 4.The Public Prosecutor,
High Court, Madras.

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