



WEB COPY



Crl.O.P.No.21264 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2024

CORAM

**THE HON'BLE MR. JUSTICE P.DHANABAL**

Crl.O.P.No.21264 of 2024

1. Manikandan @ Vijiba

2. Sathish

...Petitioners/Accused No.2 and 3

Vs.

State rep by  
The Inspector of Police,  
D2, Chengalpattu Taluk Police Station,  
Chengalpattu.  
Crime No.433 of 2024

...Respondent/Complainant

**PRAYER:** Criminal Original Petition filed under Section 483 of B.N.S.S. Act, 2023, praying to enlarge the petitioners on bail in Crime No.433 of 2024 on the file of respondent police.

For Petitioners : Mr.R.Parthiban

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

\*\*\*\*\*





Crl.O.P.No.21264 of 2024

WEB COPY

4. Learned Government Advocate (Crl.Side) for the respondent police submitted that the petitioners were found in illegal possession of 2 Kg of Ganja; and that there are two previous cases pending against each of the petitioners, which are all IPC cases. However, he vehemently opposed the grant of bail to the petitioners.

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

6. Considering the representation made by both sides, the nature of offence, the quantity of material involved in this case is not a commercial quantity, the fact that the petitioners have no previous cases for the similar kind of offence, and also taking into consideration the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions:

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each** with two sureties, each for a like sum to the satisfaction of the



CrI.O.P.No.21264 of 2024

learned **Judicial Magistrate No.II, Chengalpattu**, and on further conditions that:

**[a] the petitioners shall report before the Principal Special Court under EC and NDPS Act, Chennai – 104 on every working day at 10.30 a.m., until further orders;**

[b] the petitioners shall attend in accordance with the conditions of the bond;

[c] the petitioners shall not commit any offences of similar to the offence of which they are accused, or suspected, or of the commission of which they are suspected;

[d] the petitioners 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 them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[e] the petitioners shall not abscond either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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



CrI.O.P.No.21264 of 2024

in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];  
and

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

**09.09.2024**

*dk*

To

- 1.The Judicial Magistrate No.II  
Chengalpattu.
- 2.The Superintendent of Prison  
Central Prison Puzhal.
- 3.The Inspector of Police  
D2, Chengalpattu Taluk Police Station  
Chengalpattu.
- 4.The Public Prosecutor  
High Court of Madras.



WEB COPY



Crl.O.P.No.21264 of 2024

**P.DHANABAL, J.**

*dk*

Crl.O.P.No.21264 of 2024

09.09.2024