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Crl.O.P.No.21495 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2024

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.21495 of 2024

Kumaresan

...Petitioner/Accused

Vs.

The State rep by
Inspector of Police
Pazhavanthangal Police Station
Chennai.

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S. Act, 2023, praying to enlarge the petitioner on bail in Crime No.215 of 2024 on the file of respondent police.

For Petitioner : Mr.K.Karthik

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



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4. Learned Government Advocate (Crl.Side) opposes the grant of bail to the petitioner by stating that the petitioner was found in illegal possession of 1 kg and 600 grams of ganja and that there are five previous cases pending against the petitioner, of which three are IPC cases and the remaining two are Narcotic Drugs and Psychotropic Substances (NDPS), cases.

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

6. Considering the representation made on both sides and the quantity of material involved in this case, the petitioner has some previous cases, in all cases, bail was granted to the petitioner, and also taking into consideration the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions:

7. 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



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Judicial Magistrate Court – II at Alandur, and on further conditions

that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

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

[c] the Petitioner shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] 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;

[e] the Petitioner 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 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



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

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To

- 1.The Judicial Magistrate Court – II,
Alandur.
- 2.The Superintendent of Prison,
Central Prison Puzhal.
- 3.The Inspector of Police,
Pazhavanthangal Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.



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