



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2024

CORAM

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

Crl.O.P.No. 26629 of 2024

Lazar

... Petitioner

Vs.

State Rep by.
The Inspector of Police,
H-8 Thiruvottiyur Police Station, Chennai.
Crime No. 316 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in crime No. 316 of 2024 pending
on the file of the respondent police.

For Petitioner : Mr.A.Samson
For Respondent : Mr.V.Meganathan,
Government Advocate (Crl. side)



WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on **11.04.2024** for the alleged offences punishable under Sections **8 (c), 22 (c), 29(1) of NDPS Act, in crime No. 316 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that on 11.04.2024, based on the creditable information the respondent police searched the occurrence place and recovered 600 Nitrovet - 10 tablets from the petitioner. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and the contraband seized from the petitioner is intermediate quantity. Hence, he prays to allow this petition.

4. The learned Government Advocate (Crl. side) submits that there are 4 cases pending against the petitioner including two NDPS cases. Hence, he raised objection to grant bail.

5. Considering the facts and circumstances of the case, the petitioner is in judicial custody for more the past 6 months and obtained bail in other cases. Further, the contraband seized from the petitioner is intermediate quantity and the investigation is almost completed. Hence, this



Court is inclined to grant the bail to the petitioner.

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 JM Court, Thiruvottiyur**, 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., for a period of three months. Further, the petitioner shall deposit a sum of Rs. 10,000/- to the credit of the Madras High Court Advocate Clerks' Welfare Association, Chennai.

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



WEB COPY



[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.

07.11.2024

pbl

T.V.THAMILSELVI,J.



WEB COPY



pbl

To

1. The **JM Court, Thiruvottiyur.**
2. The Inspector of Police,
H-8 Thiruvottiyur Police Station, Chennai.
3. The Central Prison, Puzhal II.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No. 26629 of 2024

07.11.2024