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CrI.O.P.No.25544 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM

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

CrI.O.P.No.25544 of 2024

Hari Doss

...Petitioner

Vs.

The State rep by  
The Inspector of Police  
E-1 Ponneri Police Station,  
Redhills, Chennai  
(Crime No. 339 /2024)

...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.339 of 2024 on the file of respondent police.

For Petitioner : Mr.P. Chandrasekar

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

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**ORDER**



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The petitioner, who was forma arrested and remanded to judicial custody on 04.09.2024 for the offences under Sections 8(c) r/w 20(b)(ii)(B),29(1) of NDPS Act,1985 in Crime No.339 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused was in illegal possession of 1.300 kgs of ganja. Hence, the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He further submitted that the petitioner has been in custody since 04.09.2024 ; that he is a law-abiding citizen; that he is ready to furnish substantial sureties for his due release on bail; and therefore, he prays for the grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) opposes the grant of



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bail to the petitioner by stating that the petitioner along with other accused was in illegal possession of 1.300 kgs of ganja. He further submitted that there are eight previous case pending against the petitioner.

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

6.Considering the representation made on both sides, nature of offence and the fact that the quantity of material involved in this case is not a commercial quantity, and though the petitioner has some previous case, in those 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 learned Judicial Magistrate II Ponneri and on further conditions that:

[a] the petitioner shall report before the Principal



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Special Court under under EC and NDPS Act Chennai – 104 ,  
on all working days at 10.30 a.m., until further orders, without  
fail.

[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



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Court himself as laid down by the Hon'ble Supreme Court  
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 B.N.S.

**18.10.2024**

*smn*

To

- 1.The Judicial Magistrate II Ponneri
- 2.The Central Prison at Puzhal
- 3.The Inspector of Police  
E-1 Ponneri Police Station,  
Redhills, Chennai
- 4.The Public Prosecutor,  
High Court of Madras.

**P.DHANABAL, J.**

*smn*



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