



CRL O.P. No.25979 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.10.2024

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

CRL OP.No.25979 of 2024

1.Periyannan

2.Murralli

... Petitioners / A1 & A2

Vs

State rep. by
The Inspector of Police,
SIPCOT Police Station,
Krishnagiri District.
(Crime No.327 of 2024)

... Respondent

PRAYER: - The Criminal Original Petition is filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, (BNSS) 2023, praying to enlarge the Petitioner on bail in Crime No.327 of 2024 on the file of the respondent police.

For Petitioner : Mr.J.Pradeep

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



CRL O.P. No.25979 of 2024

ORDER

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The petitioners/A1 & A2, who were arrested and remanded to judicial custody on 07.10.2024, for the offences punishable under Sections 8(c) and 20(b)(ii)(A) of NDPS Act r/w Section 77 of Juvenile Justice Act in Crime No.327 of 2024, on the file of the respondent seek bail.

2.It is the case of the prosecution that the petitioners were found in illegal possession of 210 grams of cannabis. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and the have been falsely implicated in this case. He would submit that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of bail to the petitioners.

4.The learned Government Advocate (Crl. Side) would submit that the petitioners were found in illegal possession 210 grams of cannabis. He would further submit that there is no previous case pending as against



the petitioners. Hence, he vehemently opposed to grant bail to the petitioners.

5. Heard both side learned counsel and perused the materials available on record.

6. Considering the nature of offence, the quantity of contraband involved in this case is not a commercial quantity and no previous case is pending against these petitioners and also considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners subject to the following conditions:

[a]. 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 learned *Judicial Magistrate – II, Hosur*, and on further conditions that:

[b] the petitioners shall report before the respondent police on all working days at 10.30 a.m., until further orders;

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



CRL O.P. No.25979 of 2024

[d] The petitioners shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

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

[f] 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 him from disclosing such facts to the court or to any police officer or tamper with evidence;

[g] on breach of any of the aforesaid conditions, the learned 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 petitioners 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

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of the BNS.

21.10.2024

smv



CRL O.P. No.25979 of 2024

To
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- 1.The Judicial Magistrate – II, Hosur.
- 2.The Sub Jail, Hosur.
- 3.The Inspector of Police,
SIPCOT Police Station,
Krishnagiri District.
- 4.The Public Prosecutor, High Court, Madras.



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CRL O.P. No.25979 of 2024

P.DHANABAL,J.
smv

CRL.OP.No.25979 of 2024

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