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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2024

CORAM

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

CrI.O.P.No.27746 of 2024

Abdul Rahuman @ Rahuman

... Petitioner

Vs.

State Rep by.
The Inspector of Police
P6 Kodungaiyur Police Station.
Crime No. 117 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. 117 of 2024 on the file
of the Inspector of Police, P6 Kodungaiyur Police Station, Chennai.

For Petitioner : Mr.D.Manojkumar
For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (Crl. side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on **26.02.2024** for the alleged offences punishable under Sections **8 (c) r/w 20 (b)(ii)(c), 25 & 29(1) of NDPS Act, in crime No. 117 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the respondent police found the accused persons along with possession of 24kgs of Ganja. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and there is no previous case pending against petitioner. Further, he stated that more than 8 months the petitioner is in judicial custody and final report has been filed. Hence, he prays to allow this petition.

4. On the other side, the learned Government Advocate (Crl. side) submits totally four accused involved in this case, the petitioner is ranked as A2 and contraband recovered from this petitioner is 2 kgs. Further, the petitioner is not yet engage the counsel to conduct the trial. Hence, he raised objection to grant bail.



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5. Considering the facts and circumstances of the case and also the petitioner is in custody for more than 8 months and the contraband recovered from this petitioner is intermediate quantity and the final report has been filed in this case. Hence, this Court is inclined to grant 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 and other from native place)**, each for a like sum to the satisfaction of the **learned Principal Special Court under NDPS Act, Chennai**, 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;



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[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders. Further, the petitioner shall engage the counsel to conduct the Trial.

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

[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.

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T.V.THAMILSELVI,J.

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To

1. The **Principal Special Court under NDPS Act, Chennai.**
2. The Inspector of Police
P6 Kodungaiyur Police Station.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No. 27746 of 2024

07.11.2024