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Crl.O.P.No.27159 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2024

CORAM :
THE HONOURABLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.27159 of 2024

Ajith @ Patchai Muttai

... Petitioner/Accused

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
H-1, Washermenpet Police Station,
Chennai.
(Crime No.635 of 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.635 of 2024 on the file of the respondent police.

For Petitioner : Mr.M.Illiyas

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.09.2024, for the alleged offence punishable under Sections 8(c), 20(b)(ii)(B), 29(1) of NDPS Act, 1985 in Crime No.635 of 2024, on the file

Page No.1 of 7



of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner along with other accused were in illegal possession of 1 kg 250 grams 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 co-accused in this case have already been granted bail and the petitioner has been in custody since 07.09.2024; 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. The learned Government Advocate (Crl.Side) opposes the grant of bail to the petitioner by stating that the petitioner along with other accused were in illegal possession of 1 kg 250 grams of Ganja. He further would further submit that there is two previous case pending against the petitioner, which is not similar to this case.



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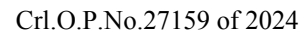
5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the representation made on both sides and the fact that the quantity of material involved in this case is not a commercial quantity and though the petitioner is having two previous case, all are not similar kind of offence and also taking into consideration the period of incarceration undergone by the petitioner from 07.09.2024, 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 **XV Metropolitan Magistrate, G.T, Chennai** and on further conditions that:-

[a] the petitioner shall report before the concerned NDPS Court at Chennai, 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;



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To:

- 1.The XV Metropolitan Magistrate, G.T, Chennai.
- 2.The Inspector of Police,
H-1, Washermenpet Police Station, Chennai.
- 3.The Superintendent,
Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL,J.

vm

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