



WEB COPY



Crl.O.P.No.28236 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.28236 of 2024

Karthikeyan @ Pappu

... Petitioner

Vs.

The Inspector of Police
S4 Nandamabakkam Police Station,
Chennai.
(Crime No.106 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.106 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Sekar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner/A4, who was arrested and remanded to judicial custody on



Crl.O.P.No.28236 of 2024

07.09.2024, seeking bail in Crime No.106 of 2024 registered for the offence under Sections 8(c) read with 20(b) (ii) (B) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2.The case of the prosecution is that on 13.09.2024 the respondent police while patrolling at Dharmarajapuram Ground, they had found in illegal possession of contraband substances from the accused and had seized 1.200 kgs of Ganja from A1 viz., Mahalingam. There are four accused involved in this case and the petitioner is A4. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner was arrested on 13.09.2024 and he is also ready to abide by any stringent conditions that may be imposed by this Court and he is having three previous cases out of which one under NDPS and the total contraband seized is intermediate quantity and prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that totally there are four accused involved in



Crl.O.P.No.28236 of 2024

this case and the petitioner is arrayed as A4. On the date of occurrence, A1 was found in an illegal possession of 1.200 kgs of Ganja. While opposing grant of bail to the petitioner/A4, he would submit that he is having three previous cases out of which one under NDPS and A1 to A3 were already granted bail and the petitioner/A4 was arrested under PT warrant.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Taking into consideration the above facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering 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.15,000/- (Rupees Fifteen**



Thousand only) with two sureties(one of them shall be either father or mother of the petitioner), each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Alandur, 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;

[b] the petitioner shall report before the respondent Police, everyday at 06.30 p.m., until further orders;

[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 absconds, a



WEB COPY



CrI.O.P.No.28236 of 2024

fresh FIR can be registered under Section 269 B.N.S.

12.11.2024

raa

To

1.The Judicial Magistrate No.I, Alandur,
Chennai.

2.The Inspector of Police
S4 Nandambakkam Police Station,
Chennai.

3.The Central Prison,
Puzhal, Chennai.

4.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.28236 of 2024

A.D.JAGADISH CHANDIRA.,J.

raa

Crl.O.P.No.28236 of 2024

12.11.2024