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CRL.O.P.No.29742 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2024

CORAM:

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

CRL.O.P.No.29742 of 2024

Wilveshwaran @ Vilveshwaran,
S/o.Sivakumar

... Petitioner

Versus

State by
Inspector of Police,
Annadhanapatty Police Station,
Salem District.
(Crime No.649 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to
enlarge the petitioner on bail in Crime No.649 of 2024 on the file of the
Inspector of Police, Annadhanapatty Police Station, Salem District.

For Petitioner : Mr.V.Sivaraman

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



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ORDER

WEB COPY Petition seeking bail in respect of Crime No.649 of 2024 registered for the offences punishable under Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015 and Sections 8(c) and 20(b)(ii)(A) of Narcotic Drugs and Psychotropic Substances Act, 1985 is on board for consideration.

2.The incarceration of the petitioner being from 08.10.2024 pleading innocence on the part of the petitioner and false implication in the case, the learned counsel for the petitioner seeks indulgence of this Court. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He is ready to abide by any stringent conditions that may be imposed by this Court.

3.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, submitted that the petitioner was found to be in illegal possession of 20 grams of Ganja. He further submitted



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that the petitioner has six previous cases pending against him, out of which, one case is under NDPS Act.

4.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant bail to the petitioner with certain conditions and accordingly, he 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, each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Salem, 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 daily at 06.30 p.m., until further orders;

[c] the petitioner shall not abscond either during



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

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To



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1.The Judicial Magistrate No.IV,
Salem.

2.The Inspector of Police,
Annadhanapatty Police Station,
Salem District.

3.The Superintendent,
Central Prison,
Salem.

4.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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