



CRL.O.P.No.29781 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.29781 of 2024

Hariprasath,
S/o.Somu @ Settu

... Petitioner

Versus

The State Rep. by
Inspector of Police,
Katpadi Police Station,
Vellore District.
(Crime No.426 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to
enlarge the petitioner on bail in Crime No.426 of 2024 on the file of the
respondent Police.

For Petitioner : Mr.M.Sathish Kumar

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.426 of 2024 registered for the offences punishable under Sections 8(c) and 20(b)(ii)(A) of Narcotic Drugs and Psychotropic Substances Act, 1985 r/w Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015 is on board for consideration.

2.The incarceration of the petitioner being from 09.11.2024 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 a false case has been registered against him. 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 100 grams of Hashish. He further submitted



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that the petitioner has one previous case which has been disposed under the Criminal Law (Amendment) Act. Now the investigation has been completed and charge sheet has been filed before the learned Judicial Magistrate, Katpadi but not taken on file.

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, Katpadi, Vellore 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 appear before the



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learned Judicial Magistrate, Katpadi at 10.30 a.m., for a period of two weeks and thereafter, on the dates fixed by the learned Magistrate;

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

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- 1.The Judicial Magistrate,
Katpadi, Vellore.
- 2.The Inspector of Police,
Katpadi Police Station,
Vellore District.
- 3.The Superintendent,
Central Prison,
Vellore.
- 4.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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