



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 1.12.2024

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THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.30226 of 2024

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.....Petitioner

Vs.

1. State rep. by
The Inspector of Police,
D-1, Triplicane Police Station,
Chennai-2.

2. The Jail Superintendent,
Sub-Jail, Saidapet,
Chennai 600 015.
(Crime No.458/2024)

... Respondents

PRAYER: Criminal Original Petition filed under Section 483 of BNSS seeking enlargement of the petitioner on interim bail for ten days in Crime No.458 of 2024 on the file of the respondent-Police.

For Appellant: Mr.A.Eswararao

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

ORDER

Petition seeking interim bail for ten days in Crime No.458 of 2024 on the file of the first respondent police, registered for the offences punishable under Sections 8(c), 22(b) and 29(1) of NDPS Act is on board for consideration.



2. The case of the prosecution is that on the basis of a confidential information about sale of narcotic drugs, on 4.11.2024, the respondent-police had rushed to the spot called Adams Road of their jurisdiction and having suspected the petitioner and three others, interrogated them and seized 47 Nitrovit Tablets totally weighing 29.12 grams from the petitioner and thereby, arrested him on the same day and remanded to judicial custody.

3. Learned counsel appearing for the petitioner craves indulgence of this court for grant of interim bail for ten days exclusively on the ground that his father died on 30.11.2024 due to cardiac arrest and he, being the only son, his presence is very much required for conducting the last rites and ceremonies.

4. Heard the learned Government Advocate (Crl.Side) appearing for the respondent, who had vouched the veracity of the submission made by the learned counsel for the petitioner submitted that no previous case is pending against the petitioner.

5. Though interim bail has been sought for, this court, having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and having perused the materials available on record, considering the exigency expressed on behalf of the petitioner and also considering the period of incarceration, is inclined to grant **bail** to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail forthwith on



his executing own bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the satisfaction of the Superintendent, Sub Jail, Saidapet, Chennai, and on further conditions that:

[a] the petitioner shall, on or before 10th December, surrender before the Learned Metropolitan Magistrate -II Egmore and furnish two sureties each for a sum of Rs. 15,000/-(Rupees Fifteen Thousand only) to his satisfaction;

[b] 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;

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

[d] the petitioner shall not abscond during investigation or trial and shall co-operate for investigation and trial;

[e] the petitioner shall not tamper with evidence or witness;

[f] 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];

[g] If the accused absconds, a fresh FIR can be registered under Section 269 of B.N.S.



1.12.2024

Index : Yes / No
Speaking / Non-speaking
Neutral Citation : Yes / No
ssk.

To

1. The Inspector of Police,
D-1, Triplicane Police Station,
Chennai-2.
2. The Jail Superintendent,
Sub-Jail, Saidapet,
Chennai 600 015.
3. Metropolitan Magistrate II,
Egmore, Chennai.
3. The Public Prosecutor,
High Court of Madras. Madras.



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A.D.JAGADISH CHANDIRA,J.

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