



CrI.O.P.No.28659 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2024

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

CrI.O.P.No.28659 of 2023

Ajai
S/o. Vijay

...Petitioner/Accused-1

Vs.

State represented by
The Inspector of Police,
Arcot Town Police Station.
(Crime No.594 of 2023)

...Respondent/Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.594 of 2023 on the
file of the respondent police.

For Petitioner : Mr. N. Desinghu

For Respondent : Mr. L. Baskaran,
Govt. Advocate (CrI. Side)



CrI.O.P.No.28659 of 2023

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.11.2023 for the offences punishable under Sections 8(c) r/w Section 20(b)(ii)(B) of NDPS Act, in Crime No.594 of 2023, seeks bail.

2.It is stated that the petitioner and other accused were found in possession of 1.100 grams of Ganja, which had been seized. It is that there is one previous case under Section 308 IPC against the petitioner.

3.But however, taking into consideration the period of incarceration suffered by the petitioner and the quantity of contraband seized, I am inclined to grant bail to the petitioner subject to the following conditions:

4.Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 learned Additional District Judge & Presiding Officer, Special Court Under EC & NDPS Act Cases, Salem, and on further conditions that:



CrI.O.P.No.28659 of 2023

[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 10.30 a.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 fresh FIR can be registered under Section 229A IPC.

05.01.2024

smv



WEB COPY



Crl.O.P.No.28659 of 2023

C.V.KARTHIKEYAN. J.

smv

To

1. The Additional District Judge & Presiding Officer, Special Court Under EC & NDPS Act Cases, Salem.
2. The Central Prison, Salem.
3. The Inspector of Police,
Arcot Town Police Station.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.28659 of 2023

05.01.2024