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Crl.O.P.No.30644 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2024

CORAM

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

Crl.O.P.No. 30644 of 2024

Shreyans @ Pappu

... Petitioner

Vs.

State represented by
The Inspector of Police,
F-3, Nungambakkam Police Station,
Chennai. (Crime No. 401 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending
investigation in Crime No. 401 of 2024 pending on the file of the respondent
Police.

For Petitioner : Mr.S.Ravindranath

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

ORDER

Petition seeking bail in respect of Crime No.401 of 2024 registered
for the offences punishable under Sections 8(c), 22(b) and 25, 29(1) of NDPS
Act, is on board for consideration.

2.The incarceration of the petitioner being from 27.10.2024 pleading
innocence on the part of the petitioner and false implication in the case,



learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.5,000/- to any welfare scheme of the Government or any other organization. He also submits that the petitioner is no way connected with the alleged offences and he is ready to abide by any stringent condition that may be imposed by this court. He also submits that the contraband seized from the petitioner is only an intermediate quantity.

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, is that the petitioner was found to be in possession of 3.40 gms of cocaine.

4.Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.5,000/- (Rupees Five Thousand only)** to the credit of the "**Tamil Nadu Legal Services Authority, Chennai** " without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.



5. 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, including the counter affidavit filed by the respondent, this court is inclined to grant bail to the petitioner with certain conditions and 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 (out of which, one shall be a blood related surety)**, each for a like sum to the satisfaction of the Principal Special Court under EC & NDPS Act, 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 fresh FIR can be registered under Section 269 of B.N.S.

09.12.2024

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A.D.JAGADISH CHANDIRA., J.

sma

To

1. The Principal Special Court under
EC & NDPS Act, Chennai.
2. The Inspector of Police,
F-3, Nungamabakkam Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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