



WEB COPY



Crl.O.P.No. 28952 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2024

CORAM

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

Crl.O.P.No.28952 of 2023

Surya Prathap

... Petitioner/Accused

Vs.

The State rep. by
Inspector of Police,
T-10, Manimangalam Police Station
Chengalpattu District.
(Crime No. 420 of 2023)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,

pleased to enlarge the petitioner on bail in Crime No.420 of 2023 pending on
the file of the respondent Police.

For Petitioner : Mr. D.Magesh

For Respondent : Mr. L.Baskaran
Government Advocate (Crl.Side)

ORDER



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The petitioner, who was arrested and remanded to judicial custody on 21.11.2023, registered by the respondent Police for the offences under Section 8(c), read with 20(b), (ii), (B) of NDPS Act, in Crime No.420 of 2023, seeks bail.

2. It is stated that the petitioner was found in possession of 1.300 kilograms of Ganja. It is also stated that there is one previous case under IPC and two previous cases under NDPS Act.

3. However, taking into consideration the period of incarceration and the quantity of the contraband seized, this Court is inclined to grant bail to the petitioner with certain 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 Judicial Magistrate, Sriperumbudur, and on further conditions that:

[a] the sureties shall affix their photographs and



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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.

04.01.2024

vsg

C.V.KARTHIKEYAN, J.



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vsg

To

1. The Judicial Magistrate, Sriperumbudur.
2. The Inspector of Police,
T-10, Manimangalam Police Station
Chengalpattu District.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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