



Crl.O.P.No.30882 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 11.12.2024

CORAM

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

Crl.O.P.No.30882 of 2024

Akash Nayak

... Petitioner

Versus

State represented by,
The Inspector of Police,
C-1, Sriperumbudur Police Station,
Kancheepuram District.
Crime.No.718 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.718 of 2024 on the file of the respondent Police.

For Petitioner : Mr. M.P. Yuvaraj
For Respondent : Mr. A. Gokulakrishnan,
Additional Public Prosecutor

ORDER

Petition seeking bail in respect of Crime No.718 of 2024 registered for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B) and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The incarceration of the petitioner being from 10.10.2024 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, petitioner has been falsely implicated in this case. He further submits that the petitioner is ready to abide by any stringent condition 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, is that the petitioner was found in possession of 1.200 Kgs of Ganja along with 20 numbers of Ganja Chocolates.

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, and taking note of the nature of allegation, 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**, 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 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;



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[b] the petitioner shall report before the respondent police daily at 10.30 A.M., until further orders;

[c] the petitioner shall not abscond either during the investigation or during the trial;

[d] the petitioner shall not tamper with evidence or witness either during the investigation or during the 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 was 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

11.12.2024

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To



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1. The Judicial Magistrate, Sriperumbudur.

2. The Inspector of Police,
C-1, Sriperumbudur Police Station,
Kancheepuram District.

3. The Superintendent,
Central Prison, Puzhal, Chennai.

4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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