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Crl.O.P.No.30888 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2024

CORAM

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

Crl.O.P.No.30888 of 2024

R.Sanjay

... Petitioner

Vs.

State rep. by the Inspector of Police,
D-1, Triplicane Police Station.
Chennai.
(Crime No. 483 of 2024).

... Respondent

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

For Petitioner : Mr.G.Mohana Krishnan

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

ORDER

Petition seeking bail in respect of **Crime No.483 of 2024** registered for the offences punishable under Sections **8(c) r/w. Sections 22(b), 29(i) of NDPS Act**, is on board for consideration.



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2. The incarceration of the petitioner being from **18.11.2024** pleading innocence on the part of the petitioner and false implication in the case, the learned counsel for the petitioner seeks indulgence of this Court. He would submit that petitioner is aged about 19 years and his parents are daily wagers. He would further submit 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, would submit that, on 18.11.2024, based on the secret information, the respondent police went to the scene of occurrence and found that the petitioner was in illegal possession of Nitrovet -10 – 45 tablets (30.06 grams). He would further submit that the petitioner has no previous case.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, 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 her executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties, out of which, one must be either father or mother of**



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the petitioner, each for a like sum to the satisfaction of the learned II

Metropolitan Magistrate, Egmore, 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 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 269 of B.N.S.

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A.D.JAGADISH CHANDIRA.,J.

dsn

To

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

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