



CRL.O.P.No.31605 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2024

CORAM:

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

CRL.O.P.No.31605 of 2024

Sam @ Samuvel

... Petitioner

Versus

The Inspector of Police,
S8 Adambakkam Police Station,
Chennai District.
Crime No.442/2024.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS,
to enlarge the petitioner on bail in Crime No.442 of 2024 pending on the
file of the respondent Police.

For Petitioner : Mr.P.Thompson

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

ORDER



CRL.O.P.No.31605 of 2024

WEB COPY

Petition seeking bail in respect of Crime No.442 of 2024 registered for the offences punishable under Sections 8(c), 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 is on board for consideration.

2.The incarceration of the petitioner being from 05.11.2024 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 also submits that the petitioner has been implicated in this case since he has twelve previous cases pending against him. He further submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.10,000/- to any welfare scheme of the Government or any other organization. He also 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



CRL.O.P.No.31605 of 2024

WEB COPY

Government Advocate (Criminal Side) appearing for the respondent Police, opposing for grant of bail, is that on receipt of secret of information, the respondent Police had gone to Adambakkam Link Road Pachammal Railway Gate and found that the petitioner along with other other accused were in illegal possession of 1.100 kilograms of ganja. He also submits that the petitioner has twelve previous cases pending against him, out of which, one case is under NDPS and another one case is under 302 of IPC.

4.Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Manonmani Trust (Home for needy in the name of Anbagam at Thirukandalam Village, Thiruvallur District) (Account Number: 9945983362, IFSC Code: KKBK0000469, Kotak Mahindra Bank, Anna Nagar Branch), 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.Further, having heard the learned counsel for the petitioner and



CRL.O.P.No.31605 of 2024

WEB COPY

the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and also considering the period of incarceration undergone by the petitioner, 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 No.II, Alandur, 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;



CRL.O.P.No.31605 of 2024

[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.

18.12.2024

vv2

To

- 1.The Judicial Magistrate No.II,
Alandur.
- 2.The Inspector of Police,
S8 Adambakkam Police Station,
Chennai District.



WEB COPY



CRL.O.P.No.31605 of 2024

A.D.JAGADISH CHANDIRA, J.

vv2

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

4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.31605 of 2024

18.12.2024