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CRL.O.P.No.31034 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2024

CORAM:

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

CRL.O.P.No.31034 of 2024

Robert @ Chinna Robert

... Petitioner

Versus

The State Represented By its Inspector of Police,
K-2, Ayyanavaram Police Station,
Chennai District.
(Crime No.318 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to
enlarge the petitioner on bail in the Crime No.318 of 2024 on the file of
the respondent.

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

ORDER

Petition seeking bail in respect of Crime No.318 of 2024 registered
for the offences punishable under Section 8(c) r/w Section 20(b)(ii)(B) of
Narcotic Drugs and Psychotropic Substances Act, 1985 is on board for



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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 also submits that the petitioner has been implicated in this case since he has seventeen previous cases. He further 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 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/A3 and other accused were found to be in illegal possession of 1.200 kilograms of Ganja. He further submitted that the petitioner has seventeen previous



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cases, out of which, five cases are registered under 307 IPC, but no case under NDPS Act is pending against him.

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 Claretian Life Animation Project Trust (A/C.No.1190155000096499, IFSC Code: KVBL0001190, Karur Vysya Bank Limited, Tambaram Branch, 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.Further, 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 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



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only) with two sureties, each for a like sum to the satisfaction of the learned V Metropolitan Magistrate at 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 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]***;



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[f] If the accused thereafter absconds, a fresh
FIR can be registered under Section 269 of B.N.S.

17.12.2024

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To

- 1.The V Metropolitan Magistrate,
Egmore, Chennai.
- 2.The Inspector of Police,
K-2, Ayyanavaram Police Station,
Chennai 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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