



CRL.O.P.No.31497 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2024

CORAM:

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

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Sanjay

... Petitioner

Versus

State rep by,
The Inspector of Police,
Thiruvallur Town Police Station,
Thiruvallur District.
(Crime No.598 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail pending investigation in Crime No.598 of 2024 on the file of Inspector of Police, Thiruvallur Town Police Station, Thiruvallur District.

For Petitioner : Mr.A.Arunkumar

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



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ORDER

WEB COPY Petition seeking bail in respect of Crime No.598 of 2024 registered for the offences punishable under Sections 132 and 351(2) of BNS r/w Sections 8(c), 20(b)(ii)(A) of Narcotic Drugs and Psychotropic Substances Act, 1985 r/w Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015 is on board for consideration.

2.The incarceration of the petitioner being from 26.11.2024 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 is innocent and a false case has been foisted 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.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



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Government Advocate (Criminal Side) appearing for the respondent Police, opposing for grant of bail, is that on 26.11.2024, when the respondent Police on their regular patrolling in Tiruvallur Bazaar, nearby Theradi bus-stand, they found that the petitioner was in illegal possession of 100 grams of Ganja. He would further submit that A1 has already been granted bail by this Court on 16.12.2024 in CrI.O.P.No.31288 of 2024.

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 Manonmani Trust, Account Number 9945983362, IFSC Code: KKBK0000469, Kotak Mahindra Bank, Anna Nagar Branch (Home for needy in the name of Anbagam at Thirukandalam Village, Thiruvallur District), 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



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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, out of which, one must be either father or mother each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Thiruvallur, 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;



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[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.

17.12.2024

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To

- 1.The Judicial Magistrate No.I,
Thiruvallur.
- 2.The Inspector of Police,
Thiruvallur Town Police Station,
Thiruvallur District.

A.D.JAGADISH CHANDIRA, J.



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- 3.The Superintendent,
Central Prison-II,
Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

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