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Crl.O.P.No.32201 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2024

CORAM

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

Crl.O.P.No.32201 of 2024

A.Kumaran

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
V3 JJ Nagar Police Station

(Crime No.728 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.728 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.N.Baaskaran

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

Petition seeking bail in respect of Crime No.728 of 2024 registered for the offences punishable under Section 8(c) r/w Sections 22(c) and 29(1) r/w Section 20(b)(ii) of NDPS Act, 1985, is on board for consideration.



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2. The incarceration of the petitioner being from 04.12.2024, 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 submits that the petitioner is a law graduate and he has to appear for the All India Bar Examination scheduled to be held on 22.12.2024. He also submits that the petitioner has been implicated in this case as he was found with other accused persons. He would submit that two other co-accused have been released on bail in Crl.O.P.No.31212 of 2024 on 17.12.2024. 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 Additional Public Prosecutor appearing for the respondent police, opposing for grant of bail, is that, on 04.11.2024, the respondent police had received a secret information and had gone to E.B Park, Mogappair East where A1 to A3 were found to be in illegal possession of 17 numbers of LSD stamps (0.41 grams). He further submits that based on the confession statement of A3, A4 and A5 have been arrested on 06.11.2024 and that a mobile phone was seized from the petitioner herein. He also submits that there are totally 19 accused in this case and steps are being taken to secure the absconding accused and further there were Gpay transactions between



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individual accused. He would further submit that there are no previous cases against the petitioner herein. On instructions, he also confirms that the petitioner is a law graduate and two other co-accused have been released on bail.

4. Further, having heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent Police and perused the materials available on record and also considering that a co-accused has been released on bail, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, he is ordered to be released on bail on him 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, Ambattur**, 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;



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[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.

21.12.2024

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To

1. The Judicial Magistrate, Ambattur

2.The Inspector of Police,
V3 JJ Nagar Police Station

3. The Superintendent,
Central Puzhal Prison,
Chennai.

4. The Public Prosecutor,
High Court of Madras.

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