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Crl.O.P.No.1238 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.01.2025

CORAM

THE HON'BLE MR. JUSTICE G.R.SWAMINATHAN

Crl.O.P.No.1238 of 2025

Anandavalli

... Petitioner

Vs.

State rep. by
The Inspector of Police,
P-4, Basin Bridge Police Station,
Pulianthope.
Chennai 600 012.

(Crime No.717 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.717 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.P.Santhosh

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



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ORDER

The petitioner stands accused in Crime No.717 of 2024 on the file of the file of the respondent for the offences punishable under Sections 8(c) r/w 20(b) (ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985. He was arrested and remanded to judicial custody on 09.12.2024

2. The learned Government Advocate appearing for the respondent submitted that the contraband was recovered only from the co-accused and there is no recovery from the present petitioner. He further submitted that, based on the confession made by the co-accused, the petitioner was arrested and he opposed for grant of bail to the petitioner.

3. Heard both sides.

4. Considering the rival submissions made on either side, considering the nature of offences, considering the fact that the contraband was recovered only from the co-accused and there is no recovery from the present petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:



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Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned X Metropolitan Magistrate at Egmore, Chennai and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders;

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;



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[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

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

mst/smn

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G.R.SWAMINATHAN., J.

mst/smn

To

1. The X Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
P-4, Basin Bridge Police Station,
Pulianthope.
3. The Superintendent,
Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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