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Crl.O.P.No.1268 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.1268 of 2025

Nandha Kumar @ Nandha

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
PEW - Coimbatore City.

(Crime No.465 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
Crime No.465 of 2024, on the file of the respondent Police.

For Petitioner : Mr.M.Vijaya Ragavan

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



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ORDER

The petitioner stands accused in Crime No.465 of 2024 on the file of the file of the respondent for the offences punishable under Sections 8(c), 22(b)(ii)(B), 25 and Section 29(i) of Narcotic Drugs and Psychotropic Substances Act 1985. He was arrested and remanded to judicial custody on 24.12.2024.

2. The learned Government Advocate appearing for the respondent submitted that totally 1.874 kgs of ganja was found in possession of the accused persons and the petitioner was found in possession of small quantity of contraband. He further submitted that there is one previous case, falls under IPC, pending against the petitioner.

3. Heard both sides and perused the materials available on record.

4. Considering the rival submissions made on either side, considering the nature of offences, considering the fact that the alleged contraband found in possession of the petitioner is small quantity, even though the petitioner has one previous case, the same falls under I.P.C, this Court is inclined to grant bail to the



petitioner, subject to the following conditions:

(a) 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 Additional District Judge/Presiding Officer, Special Court for Essential Commodities Act Cases, Coimbatore 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



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the evidence;

[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.

17.01.2025

mst/smn

To

1. The Additional District Judge/Presiding Officer,
Special Court for Essential Commodities Act Cases,
Coimbatore.
2. The Inspector of Police,
PEW - Coimbatore City.
3. The Superintendent,
Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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G.R.SWAMINATHAN., J.

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